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A COMPENDIOUS

HISTORY

OF THE MOST

Remarkable Paſſages

OF THE LAST

FOURTEEN YEARS:

With an Account of the

PLOT,

As it was carried on both before and after the *FIRE OF LONDON*, to this preſent Time.

Tantum Religio potuit ſuadere malorum.

LONDON:

Printed by *A. Godbid*, and *J. Playford*, and are ſold by *S. Neale*, at the Three *Pidgeons* in *Bedford-Street* over againſt the *New-Exchange*, 1680.

TO THE READER.

THese ensuing Sheets are chiefly the Relation of the wonderful passages of the 14 last Years. Then the 2 last of which there are few that deserve to be more Celebrated in Historie, next to those that were so renowned for the Active part of the KINGS Restoration: though it may be questioned to which Historie will give the precedence: whether to those of His Restoration, or those of His preservation. In reference to which, several of the occurrences have almost equall'd Miracles, and therefore merit to

To the Reader.

be recorded, and to be read with consideration, as the evincing Proofs of an over-ruling Providence.

The Relation begins at the great Conflagration of the CITY, *as being the first remarkable Effect of the Treason then hatching. For to repeat the stories of Queen* Elizabeth, *King* James, *and King* Charles *the first; would have bin only to have tir'd the Reader, with what is already sufficiently made known, both in* English *and* Latin, *to all the* Protestants *in the World; and only serves to swell a Volume to the unprofitable and needless expence of the Buyer. If any thing has bin left out, it has bin for fear of invading the properties of other Men, whose Narratives though at that time seasonable, yet can never hope to be inserted in a story, where their Epitomes*

are

To the Reader.

are only neceſſary. Omiſſions may be, but tis thought, by thoſe that have viewed theſe ſheets, there are very few or none of Moment. Whatever they be, the Reader, tis hop'd, will pardon them, conſidering the multiplicitie of affairs, and the preſent juncture of time.

THE

ADVERTISEMENT.

THE *Cabal of Several Notorious Prieſts and Jeſuits, Diſcovered, as,* William Ireland, Thomas White *alias* Whitebread, *Provincial of the Jeſuits in* England. William Harcourt, *pretended Rector of* London. John Fenwick, *Procurator for the Jeſuits in* England. John Gaven *alias* Gawen, *and* Anthony Turner, &c. *ſhewing their Endeavours to Subvert the Government, and Proteſtant Religion.* viz. *Their Treaſonable Practices in* England *and* France: *Articles of their Creed: Their ſtirring people to Rebellion: frequenting Quakers Meetings in all ſorts of Apparel: Their Uſurpations: Murthering of Infants and Incontinency in their own Claſſis: Their unclean acts in their Viſits, Churches, Houſes, Travels and Nunneries: Coyning falſe money: Bloody Revenges and ſtrange Ingratitudes: The number of their Orders with the diviſions and ſtrifes now in that Society.*

By a Lover of his King and Countrey, who formerly was an Eye-witneſs of theſe things.

THE high zeal of thoſe that are of the *Roman Catholic* profeſſion proceeds either from Policy or Devotion. The Politic zeal is counterfeited by the Prieſts and Rulers of the Church: but the zeal of Devotion is impoſed by them upon the People. The one is Active, the other Paſſive; and though the Paſſive are ſometimes ſeduced by the Active to Action, yet doth that Action ſeem to be a paſſion, in regard they ſuffer themſelves to be overperſuaded to do it. Of theſe two ſorts of zeal doth the *Roman Catholic* Religion conſiſt; Which becauſe they are both made uſe of for the propagation of their pretended Faith, or rather for the enlargement of their Tyrannical Dominion, and the ſatisfaction of their inſatiate Avarice, they are therefore founded upon all the Maxims of Cruelty and Barbariſm imaginable. Nay their very mercies are inhumanities, while their Abſolutions and Diſpenſations do but encourage the perpetration of all manner of Impiety, and by that means maintain a perpetual War againſt all mankind, and deſtroy the neceſſary Converſe of humane Society. Thus while

they ſeek to ſubjugate the World to themſelves, where they find themſelves too weak, they fall to contrivance. Hence thoſe Effuſions of Blood, and diſmal Maſſacres licenſed by the Pope, and encouraged and applauded in their public harangues by the Jeſuites and Prieſts, his Godly Emiſſaries and holy Inſtruments: Hence thoſe Treaſons againſt Queen *Elizabeth*, thoſe Horrid Machinations againſt King *James*; hence this Villanous Plot, that has been ſo long hatching againſt the Perſon of the beſt of Kings, of which we are now to make a ſhort but a Methodical Hiſtory, to remain as a public Record, fil'd to Perpetuity, of their inhuman Butcheries and foul Contrivances ſo bloodily and ſo prophanely intended.

The Deſign was laid home and ſmartly; the Conſpirators aimed at no ſmall things, no leſs than the Murther of a Great Monarch, the ſubverſion of his Laws and Government, and the total Perdition of three Kingdoms under his Soveraign care.

The Chief Actors upon this bloody Stage were the whole Body of the *Roman Catholic* Clergy, even from the Triple Crown to the poor ſelf-denying *Dominican* and Innocence-pretending *Benedictine*. For his Holineſs in a General Council for the propagation of the Faith, held in *December* 1677. had adjudg'd the King of *Great Britain* to be certainly a Heretic, and for that very reaſon had vainly depoſed him, and as impudently confiſcated his Dominions, as being St. *Peter's* Patrimony forfeited to him for the Hereſie of the King and People; To which purpoſe

poſe he alſo appointed Cardinal *Howard* to take poſſeſſion of *England*, as his Legate, in his Name. He had moreover in his fond imagination diſplaced all the Archbiſhops, Biſhops, *&c.* from their Eccleſiaſtical Employments; and all others from their Secular Dignities, and conſtituted his own Minions in their places. What Jeſuite or Prieſt, upon ſo free and authentic Donation as the Pope thus made them of his new Forfeitures, but would have ventur'd a Caper at *Tyburn*, for an Archbiſhopric of *York*, or a Biſhopric of *Winchester*, or the fat Glebes belonging to many a reaſſumed Abbey and Monaſtery? Nor can we doubt but that they had been many Years brooding over ſuch a Magnificent deſign, which they had ſo nearly hatch'd and matur'd to perfection. Eſpecially conſidering how long ago it was that we felt the dreadful Effects of their Treaſon, before the happy diſcovery of their impious Conjurations.

It was in the Year 1666. upon the 2*d* of *September*, that the greateſt fire brake forth, hardly to be parallell'd in Story, which ſacrific'd to the fury and Ambition of the Jeſuites and Popiſh Prieſts the faireſt and largeſt part of one of the Richeſt and moſt populous Cities in the World.

As to this fatal and deſtructive Fire, which deſtroy'd 373 Acres within, and 63 Acres and three Roods without the Walls of the City, it appears to have been under Conſultation long before the fact was put in Execution. For when they had once, after ſeveral Debates and Communications of Letters, unanimouſly reſolv'd, That it was ab-

ſolutely neceſſary to ruin the City, and impoveriſh her Inhabitants, before they could poſſibly be able to bring any of their Contrivances to maturity, *Richard Strange*, once Provincial of the Jeſuites, took the care of a Fact, ſo worthy the Order of Jeſus upon himſelf. To which purpoſe having made *Gray*, *Pennington*, *Barton*, all three Jeſuites, and others, privy to his Criminal Intentions, they all met together at a public Houſe, call'd the *Green Dragon*, near *Puddle Dock*, kept by one *Weſt*, a Taylor. There after ſeveral Conſultations, they agreed to have done their work in *February* 1664. but not having aſſiſtance ſufficient, nor materials enow ready for Execution, they deſiſted for that time. In *January* 1666. they again renewed their meetings at the ſame *Weſt*'s Houſe, and under the pretence of being *Fifth Monarchy Men*, they firſt inveagled one *Green* into their Society, and with a bait of 30 *l.* wherewith they furniſh'd him for his preſent Neceſſities, ſoon caught the hungry Fiſh. *Green*, thus deluded by their Charity and their Canting, joyn'd with them in their deſign, both for Firing the City, and Murdering the King; and in farther gratitude for their kindneſs, brought into their acquaintance eight more of the ſame Gang; who as they were a hotheaded and inconſiderate ſort of Cattel, ſoon cloſed with a Combination ſo ſutable to their own Natures, and were no leſs zealous in the buſineſs then the Jeſuites themſelves. Upon this they were all eager to have gone to work in *February* following, before the Return of the Inhabitants to *London*. But *Green* oppoſed that Reſolution, repre-

repreſenting to the Jeſuites, that then they ſhould be the ſooner diſcover'd, in regard that the greater the Uproar was the ſafer they ſhould be. More then this, he put them in mind, That the King would not then be much in Town, if at all, who as *Green* at that time adviz'd, was to be cut off, when the people were all in Conſternation and hurrey by reaſon of the Fire. This advice pleaſed the ſubitle Jeſuites well, and for thoſe reaſons the buſineſs was delay'd. Soon after *Green*, and the reſt of the Cabal were ſuſpected by their Hoſt, the forenamed *Weſt*, and forwarn'd his Houſe. Upon this the wary Jeſuites like Foxes fled immediately to their Holes and Earth'd themſelves at St. *Omers*, leaving their poor delu'ed *Fifth Monarchy* Brethren to ſuffer the deſerved Puniſhment of their raſh Zeal. For thoſe *Fifth Monarchy* Bigots being all taken, the next Seſſions were indicted at the *Old Baily*, by the Names of *John Rathbones*, *William Saunders*, *Henry Tucker*, *Thomas Flint*, *Thomas Evans*, *John Miles*, *William Weſtcott*, and *John Cole*, for Conſpiring the Death of his Majeſty, and the overthrow of the Government; having lay'd their Plot for ſurprizal of the Tower, killing the Lord General *Monk*, Sir *John Robinſon*, and Sir *Richard Brown*, and then to have declar'd for an equal diviſion of Lands. The better to effect which the City was to have been fir'd, the Portcullices to have been let down to keep out aſſiſtance, and the Horſe guards to have been ſurpriz'd, ſeveral Officers having been gain'd for that purpoſe. Of all this they were found guil-

ty, and ſoon after Executed, all but *Green*, who dy'd in priſon, before he came to his Tryal. All which nothing grieved the Jeſuites, believing that now, whatever miſchief happn'd afterwards, the burthen of the Crime would be laid upon the *Fanaticks*. As to the Fathers that brought them into thoſe noozes, the poor condemned Hotſpurs never mentioned a word concerning them; neither knowing their Names, nor ſuſpecting them to have been Jeſuites, but of their own Faction, and therefore the more chary of detecting them. Upon notice therefore given to *Strange*, by *Fitzgerald*, an Iriſh Jeſuite, and one *Neal* of *White- happel*, that the *Fifth Monarchy* Cullies were all ſafe out of this World, without the leaſt Information given or notice taken of their Names or Perſons, *Strange* and his Companions returned in *June* following, and fell again to their employment, which had been in ſome meaſure managed by their Aſſociates in their abſence. To be ſhort, they got fifty or ſixty Iriſh to ply the Work, and were alſo in fee with ſeveral French Men, *who were faithful in the buſineſs*, to ſpeak the Phraſe of *Strange* himſelf. All things being ready, and the places pitch'd upon, *Strange* in *Auguſt* 1666. removed his Quarters, and lay at a Houſe in *Fenchurch Street* by the Name of *Walker*; *Pennington* and *Barton* lodg'd at an Apothecaries in *Shoo Lane*, *Gray* and *Fitzgerard* took up their Querters in *White Chappel* at the Houſe of *Neal* beforenamed, who was to manage the Fire from *Thames Street* to the Tower. Juſt at the Time prefix'd one *Pie-de-loup*

and

and *Hubert*, both French Men and Companions, came to an Alehouſe in *Pudding Lane*, adjoyning to *Farriner* the Baker's, and obſerving their opportunity, convey'd, at the end of two long poles, three Fire-balls, firſt lighted with Matches, through a hole in the Wall, into *Farriner's* Houſe, not ſtirring till the Room was in a Flame. This was the Confeſſion of *Hubert* himſelf, and what moreover he acknowledged at his Execution: For he was ſometime after Try'd, Condemn'd, and Executed for this very fact.

And now the Fire being thus begun, while Night and Conſternation bred a general confuſion, the Devils Agents were no leſs buſie in employing their Maſters own Element, at their ſeveral ſtations, till it grew to ſuch a height, that I need not repeat the diſmal havock which it made, as being yet too freſh in Memory.

But as if this had not been Impietie enough for the Order of *Jeſus* to boaſt of, they had a ſort of unſanctified Villains and Jades, to the number of fourſcore or fourſcore and ſix, who made it their buſineſs to Plunder, Steal, and carry away the Goods of the Miſerable, in the height of their diſtraction; for which purpoſe the *Holy Order* had their Warehouſes, and receptacles of Stollen Goods in *Wild Street*, beſides what they concealed in *Somerſet Houſe*; ſo that they got by the Fire of *London* above 14000 *l.* Among the reſt they carried off a Caſquet of Diamond Stones, which was ſold by the ſame Jeſuites in *Flanders* for 3500 *l.* Ster-

ling. It is alſo aſcertain'd from the Mouth of *Strange* himſelf, that there were ſpent in this Deſtruction of theirs, above Seven hundred of thoſe little Hand Granado's, which they flung into Houſes, and call'd by way of Joke, and Secrecy, *Tewksbury Muſtard-Balls*, now better known by the name of *Jeſuites Fire-Balls.*

The next conſiderable Fire was that in *Southwark*, which happened in the Year 1676. This Fire was begun by one *John Groves*, who had ſeveral Fire Works made for that purpoſe, and three Iriſh Men, that were his Aſſiſtants; ſo proſperous in their Villany, that they ſet an Oyl ſhop near Saint *Margaret's* Hill on Fire. For which noble Act the ſaid *Groves* had 400 *l.* and the three Iriſh Men 200 *l.* a piece paid them by the Jeſuites here in *London* that ſet them on Work. However the Jeſuites were no loſers by the Bargain: for by the Dexterity of their plundering Emiſſaries they got no leſs then 2000 *l.* Sterling by that Deſolation.

In the Year 1676. a great Cabal was held in the Engliſh Covent of *Benedictine* Monks at *Paris*, for the carrying on the great Work of ſubverting the Proteſtant Religion and introducing Poperv into *England.*

For the accompliſhing of which Deſign, they could not imagin any means more probable, then by continual Fires, to weak'n, if not utterly demoliſh the remaining Splendor of the City and Suburbs of *London*; Affirming withall, that they would never leave that heritic Heap, till they had

had brought down her Pride by Fire and Py racy.

These Results being transmitted to their Correspondents in *England*, were here with no less fervency debated, and no less sedulous endeavours us'd to satisfie as well their own Cruelty, as the longing Expectations of their Brethren in iniquity beyond Sea. Of these Consultations the real Effects were those Fires near *Limehouse*, *Sept.* 18. 1678. at *Wapping*, where *Blundell* the Jesuit was the Master Engineer, and St. *Katherines*, design'd likewise for the burning of the Ships in the River, as also in several other places; which though they had not that success which they desir'd, however shew'd the heat of their Zeal, and their Kindness to the Kingdom. The same Fate was destin'd for *Westminster*, and that ancient Monument of our Ancestors Magnificence, who never intended that Noble Sructure for the spoil of *Loyola*'s caitif brood This Fire was to have begun its progress near the *Paisgrave*'s-head, without *Temple-Bar*, and having baited at the *Savoy*, was to have been driven on again by the *Benedictins* on both sides of the way to *White-hall*, from whence, near the end of the *Stone Gallery*, it was to have been convey'd by fresh Company to *Westminster*. All which grand Contrivance was to have been put in execution in the time of the great Frost, in the year 1676. But then it seems they were not well assur'd of the Assistance of the *French* King; of which they were afterwards fully ascertain'd by *Le Cheise*, Confessor to the said King, and his Correspondent, Mr. *Coleman*.

No wonder ſuch helliſh Deſigns were laid by men whoſe confidence almoſt exceeded Admiration. For though the Plot were in ſome part at that time diſcover'd, yet did they venture to carry on their Deſign, and kindled a Fire near *Limehouſe*, the 18*th* of *Sept.* 1678, as is already mention'd, which in three or four hours time conſum'd and laid level with the ground between forty and fifty Houſes, and had queſtionleſs made a greater devaſtation, had not the active Courage, and unwearied Toil of the Seamen put a ſtop to the fury of the Flames. Whence we may be well aſſur'd that they had reſolutely intended the utter deſolation of this Antient and Potent City (in nothing more unhappy then in the largeneſs of her Extent) had not the diſcovery of their Treaſons and villanous Impieties warm'd them with ſuch another kind of miraculous heat, as melted their Cabals, yet cool'd the violence of their fiery proceedings.

The Jeſuits had ſoon the ſcent, which only the ſmother made, in their Noſes; having a ſmart Intelligence that Dr. *Oates* had been in company with a *Proteſtant Miniſter*. This ſtartl'd the Provincial, Monſieur *Whitebread*; and yet he had the confidence to write to Mr. *Bedingfield*, not to take notice of what *Keins*, (it ſeems the whiſperer of the unwelcom News) had told him; but to proceed in the buſineſs of the King, and in the whole Affair, as before. Nay, he was ſo Cockſure, as to come to *London* the third of *September*. The next day the Doctor went to viſit him, or rather to wait on him by order of his Superiors. But then the Scene was alter'd: the incens'd and ſow'r Provincial chang'd both his Countenance and Behaviour. For

he

he not only revil'd the Doctor in words, asking him, *With what face he could look on him, that had plaid him such a treacherous trick?* but entertain'd him with blows and a courteous box o' the Ear, (for St. *Peter* may strike, as well as teach) as being charg'd for having been with the King, and a Minister with him.

However, that the Jesuits Trade might still go forward, I mean Murder, the good natur'd Provincial was willing to be reconcil'd to the Doctor, on condition he would discover the Minister's Name, and his place of abode, to the end they might make him sure, for they resolv'd to have kill'd him.

In the mean time the Doctor was order'd to march, and within fourteen days to return to St. *Omers*; and that he might not delude them with a slippery cheat, they took upon them to pay for his Coach-hire and Provision upon the Road to *Dover*, and at *Calice* order'd the Master of the *Feathers* to pay for his passage to St. *Omers*; unwilling to trust him with so much Money at his own disposal. There he was also to stay till farther Order from the Provincial; and an excellent Office, which was to be Surveyor of the firing of *Wapping*, tak'n out of his hands and committed to the charge and industry of the more trusty Father *Blundel*.

But upon the sixth of *September* at night, the Doctor attending at the Provincial's Chamber dore, and just ready to go in, overheard Monsieur *White*, and some others, whom by their voices he conjectur'd to be *Mico*, and one *Poole*, consulting how to dispose of a certain person, whom he vehemently

hemently ſuſpected to be himſelf. The words, not to be omitted, were theſe:

This man has betraid us, and therefore we will give a Coachman Twenty Pound to take him up, and carry him directly to Rocheſter, *to Eſquire* Lee's *houſe, who lives near the Town; and from thence to* Dover, *by ſome by-way, becauſe he is acquainted at* Sittinborn. Adding withal, *That if they could but get him on the other ſide the Water, they would torment him, till he had confeſs'd to them, who it was that had been with the King, and had inform'd him of the Buſineſs.*

Theſe Words begat in the Doctor a rational fear; ſo that he made all the haſt he could down Stairs, to avoid the danger, and for his better ſecurity, ſhifted his Lodging that night.

The next night, as he was returning to his own Lodging, for ſome Neceſſaries which he wanted the day following, he met with one *Grigſon*, a *Papiſt*; who inform'd him, *That the Jeſuits were highly incens'd againſt him, becauſe he had not anſwer'd their Expectations, in being true to them: that they were dangerous perſons, and would ruin him, if they could.* To which he added, *That he had known their Roguery theſe twelve or fourteen years.*

The Doctor ſurpriz'd with this Caution went no further, but ſtaid with the ſaid *Grigſon*, and lay that night at his Lodging: where he had no ſooner compos'd himſelf to reſt, but one *Stafford*, a Son of Papiſtical Zeal, whom he never knew, nor ever

ever in his life provok'd, attempted to force open his Lodging, but was conſtrain'd to retreat, when he found himſelf diſcover'd by the Servants of the Houſe: ſo that from that time forward he grew more jealous of them, and careful of himſelf.

Thus much for the Preliminaries, which give a fair inſight into the Age and Series of this deteſtable Contrivance. It will now be requiſite to embody the Deſign, and to diſplay the whole Myſtery, that thereby the Crimes of every Malefactor (for I cannot in Conſcience call them Martyrs) that has hitherto been juſtly Executed, may more clearly appear.

The grand and general Deſign then of the Pope, the Pious and Zealous Society of Jeſuits, and their Accomplices and Aſſociates in this as diſingenious, and raskally, as unchriſtian Conſpiracy was to have reduc'd the flouriſhing Kingdoms of *Great Britain* and *Ireland* to the *Romiſh Religion*, and under the *Papal Juriſdiction*.

To accompliſh this, the Pope had Entitl'd himſelf by way of Confiſcation and Forfeiture to the Kingdoms of *England* and *Ireland*. He had ſent the Biſhop of *Caſal*, in *Italy*, into *Ireland*, to make out his Title to that Kingdom, and to take Poſſeſſion in his behalf; and had conſtituted Cardinal *Howard* his True and Lawful Attorney, for the ſame intent and purpoſe in *England*. But theſe fair Vineyards could not be enjoy'd, ſo long as the right owner liv'd, and had pow'r to defend his own Inheritance. Therefore was the King himſelf

ſelf by his Holineſs impiouſly condemn'd, and by the Conſults of the Jeſuits and Prieſts at *London*, applauded and encourag'd by the Birds of the ſame Feather abroad, diſpos'd and deſtin'd to a lewd Aſſaſſination. And to make good the Attempt, the Papal Force in both Nations was to be Armed, and that under Officers and Commanders commiſſionated by St. *Peter*'s Authority, given to the General of the Jeſuits at *Rome*, and by him convey'd to the Provincial of the ſame Order in *England*. In this, ſomewhat mannerly, that the King was not to fall alone, but to be attended by ſome of his neareſt Relations, and choiceſt Peers, of which number was his own Brother, if he did not fully anſwer their Expectations, the Prince of *Orange*, the Duke of *Ormond*, and the Earl of *Shaftsbury*.

Into *Scotland* twelve *Scotch* Jeſuits were ſent by Order from the General of the Society, and had a Thouſand Pound given them by *Le Cheeſe*, the *French* King's Confeſſor, to keep up the Commotions in *Scotland*, and had Inſtructions given them to carry themſelves like *Nonconformiſts* among the *Presbyterians*, the better to drive on their Deſign.

The Conqueſt and Subduing of *Ireland* was contriv'd and deſign'd by a general Rebellion and Maſſacre of the *Proteſtants* in that Kingdom, for which the Actors had a late Precedent to go by. For the carrying on whereof the Pope had been ſo liberal, as to diſburſe Eight Hundred Thouſand Crowns out of his own Treaſury. And for fear their own Power might not be ſufficient, there was a *French* Plot cunningly and *a-la-modely* interwoven

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with their *English* Conſpiracies to bring in Foreign Aſſiſtance, and Correſpondencies, held for that purpoſe between them and the King of *France*'s Confeſſor at *Paris*.

But Heaven, that ſaw and with indignation beheld the dark and infernal Practices of them, that by acting contrary to all Piety and Virtue, were bringing a Reproach and Scandal upon Heaven and Chriſtianity it ſelf, would no longer ſuffer them to proceed in ſuch an Execrable Tragedy. A Crime that had it come to Execution, Hell would have bluſh'd, and the Devils in union among themſelves, might have had a proſpect of ſome probability of Mercy, beholding men more wicked then they.

The Diſcovery then being fully reſolv'd upon in the Breaſt of Dr. *Oates*, he makes his firſt Applications to Dr. *Tongue*, both for his Advice and Aſſiſtance. Who upon *Monday* the 13*th* of *Auguſt*, 1678, acquainted Mr. *Chriſtopher Kirkby* with the detection of a *Popiſh* Conſpiracy againſt the King's Sacred Perſon and the Proteſtant Religion, ſhewing him withall the Three and Forty Articles, as he had receiv'd them in Writing from Dr. *Oates*, and requeſting him not to make the buſineſs known at firſt to any other perſon then the King himſelf. Many difficulties ſhew'd themſelves in the Management of this Affair, which requir'd the more warineſs in proceeding. So that Mr. *Kirkby*, not finding an Opportunity to ſpeak in private with the King that Afternoon, prepar'd a certain Paper to put into his hands the next Morning, as he went to walk in the Park. His Majeſty having receiv'd

and

and read it, call'd Mr. *Kirkby* to Him, who then only gave him this ſhort Account, That his Enemies had a deſign againſt his Life, and therefore beſought him to have a care of his Perſon, for that he knew not but that he might be in danger in that very Walk which he was about to take; deſiring withall, a more private place for a more particular Account. Thereupon his Majeſty commanded him to wait his return out of the Park: At what time calling Mr. *Kirkby* into his Bedchamber, he commanded him to declare what he knew.

Mr. *Kirkby* thereupon inform'd the King, that there were two perſons that were ſet to watch an opportunity to Piſtol him. That his Friend was at hand, and ready with his Papers to be brought before him, when his Majeſty ſhould command.

In anſwer to this, his Majeſty appointed between the hours of Eight and Nine in the Evening: at which time Mr. *Kirkby* and Dr. *Tongue* attended, and being commanded into the Red Room, deliver'd the Forty Three Articles, or rather Heads of the Diſcovery to his Majeſty, who being to go to *Windſor* the next Morning, was pleas'd to promiſe that he would tranſmit the Papers into the hands of the Earl of *Danby*, then Lord Treaſurer, upon whom they were likewiſe order'd to attend the next day after. That day, about four of the Clock in the Afternoon, they were admitted into the Treaſurer's Cloſet, who read the Papers, and found them to be of the greateſt Concern imaginable.

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The third of *September*, Mr. *Kirkby* went to Dr. *Oates*, and having receiv'd from him what he had to communicate, appointed to meet him the next morning.

Accordingly, the next morning, being the fourth of *September*, Mr. *Kirkby* and Dr. *Oates* met, at what time the latter told the former, that *Whitebread*, *Provincial* of the Jeſuites, was come to Town, and had ſtrucken him, and charg'd him with having been with the King, and with the diſcovery of the Plot, which he deny'd, it being true that he had not ſeen the King. Upon this, it was concluded, that ſeeing the diſcovery was ſmoak'd, Dr. *Oates*'s Information ſhould be ſworn before ſome Juſtice of the Peace, which was accordingly the firſt time done before Sir *Edmund-Bury Godfrey* the ſixth of *September*; who nevertheleſs was not permitted to read the particulars of the Information; it being alledged that his Majeſty had already had a true Copy thereof; and that it was not convenient that the buſineſs ſhould be communicated to any body elſe as yet: So that Sir *Edmund-Bury Godfrey* was ſatisfied without reading them, and only underwrit Dr. *Oates*'s *Affidavit*, That the Matters therein contain'd were true; Dr. *Tong* at the ſame time making Oath, that they had been made known to the King.

In the mean time Mr. *Kirkby* goes to *Windſor*, and ſhews himſelf to the King, but his Majeſty was not pleas'd to ſpeak to him either that day, or the next; whereby it was con-

jectured that ſome perſons had made it their buneſs to diſpoſſeſs the King of the belief of any ſuch thing as a Plot.

Wherefore upon the ſeventh of *September* he went to the Treaſurer's Lodgings, and meeting with Mr. *Lloyd*, he told him that the perſon who had given the Information was diſcovered and had been abus'd and beaten by the Conſpirators, and therefore deſired my Lord Treaſurer's farther directions; but though he waited all that day and the next, my Lord was not to be ſpoken with. Thereupon he returned, and meeting with Doctor *Tong* and *Oates*, at the place which before they had appointed, he carried them to his Lodgings at *Fox-hall*, for their better ſecurity.

Nevertheleſs the buſineſs was not ſo far neglected, but that upon the twenty ſeventh, Mr. *Lloyd* before mentioned, was ſent to *Fox-hall* to ſignifie to Mr. *Kirkby*, that he had Orders to bring Doctor *Tong* before the Council; but the Lords being riſen, ere the Doctor could be brought, he was Order'd to attend the next Morning.

In the mean while they went all three again to Sir *Edmund-Bury Godfrey*, carrying the firſt Depoſitions ſworn the ſixth of *September*, and two Copies more written by Doctor *Oates*, to have them alſo ſworn, which being done, Doctor *Oates* was ſent back to *Fox-hall*, and Mr. *Kirkby* and Doctor *Tong* attended the Council according to Order; who being call'd in were Order'd to bring Doctor *Oates* thither,

thither, which was ſoon after done. And then it was, that Doctor *Oates*, being the firſt time examin'd, and alſo ſworn again at the Council board to the Heads of his Diſcovery, both he and Doctor *Tong* were Ordered Lodgings at *Whitehall*.

Being thus ſecure of the Diſcovery, and the Diſcoverer as well ſecured, the main buſineſs now lay all in good proof and fair Teſtimony. Which as on our ſide there was all care taken to find out, ſo on the Conſpirators behalf, there was no ſtone left unturn'd, no Labour of imagination omitted to vilifie, and enervate, and to reproach and ſcandalize what ever witneſſes appear'd.

And therefore before we go any farther, it will be requiſite to ſay ſomething in Juſtification of his perſon, who was the Firſt and main Diſcoverer, and to whom the Nation is moſt chiefly beholding.

All the World cannot but be very apprehenſive, that it is the Intereſt of the *Roman Catholics* to vindicate their reputation if they can; which there is no way under Heaven to do, but by fixing thoſe Imputations upon Doctor *Oates*, which may render him ridiculous, perjur'd, and conſequently unfit to be believ'd.

In the firſt place the *Papiſts* accuſe him of debauchery, and for being turn'd out of the Colledge at Saint *Omers*, and that he does all this out of Revenge.

Then they ſuggeſt that his Information muſt needs be fictitious, becauſe it is a thing unlikely

that he ſhould come to ſuch a diſtinct knowledge of ſo many particulars in ſo ſhort a time. Or if he had heard or ſeen them, that he ſhould ſo perfectly remember them: and then again if he were ſo converſant among the Conſpirators, why he ſhould not do it ſooner.

In the laſt place, they alledge, that it is not probable, that they who ſo chearfully blended their Blood with that of his Majeſties moſt faithful Proteſtant Subjects in the late Wars, ſhould ſo ſtrangely alter their minds, as with ſuch an unheard of Unanimity to combine to murder the King, for whoſe Father they had ſo Religiouſly fought, and deſtroy the Liberty of a Nation which they had endeavoured to maintain with their Lives. Plauſible inſinuations indeed, but of no moment, when judiciouſly weighed and conſidered.

For as to the Education of Doctor *Titus Oates*, he was bred a Student in Saint *John's* Colledge in *Cambridge*; neither is it probable that he forgot his Learning, but rather highly improved it, by his going out Doctor in Divinity at *Salamanca* in *Spain*; where he did all his Exerciſes, more difficult than what are performed among us here. He was alſo for ſome time a Miniſter at *Chicheſter*, and at length Chaplain to the Duke of *Norfolk*.

In all theſe Stations the ſobriety of his Life and Converſation was ſuch, as freed him altogether from the ſtain of Debauchery. In which reſpect he may well appeal to the *Jeſuites* themſelves, who would never have eſteemed him as they

they did, by conferring their Order upon him, and truſting him ſo far, had they not found him a ſober perſon and fit for their purpoſe.

When he was Chaplain to the Duke of *Norfolk*, he overheard ſome whiſperings among the Prieſts, by which he collected, that there were ſome great deſigns on Foot, though he could not find out what they were. This and ſome other dark Intimations which he received from his Proteſtant friends, bred in him an earneſt deſire to ſound the depth of the Intrigue, and if it were poſſible to Countermine it. To which end he pretended himſelf to certain Prieſts diſſatisfied in ſome points relating to the Diſcipline of the Church of *England*, deſiring withal, for the Solution of his doubts, to confer with ſome of their Jeſuites, which the Prieſts procured, on condition he would not betray them. After ſeveral diſputes, wherein he ſuffer'd himſelf to be overcome, he was ſeemingly reconcil'd to the Church of *Rome*, and then deſir'd of the Fathers that they would admit him into their Order, which they did after a debate of three days. To this Grant of theirs they alſo added this farther kindneſs, that becauſe he was paſt the Years of Pupillage, as being in the 28*th* Year of his Age, they would not employ him, as they uſually did their Novices, in drudgery for the firſt two Years, but advance him to be a Meſſenger for the Society. Nothing could more exactly have fitted his purpoſe. So that being forthwith ſent with Letters into *Spain*, he ope-

ned them, and thereby began to have ſome inſight into the contrivance: from which time he carried himſelf with that diſcretion and reſervedneſs, that after a little time he was admitted to their Conſultations; by which means he had not onely the opportunity to obſerve the preſent carriage of Affairs, but alſo liberty to enquire into their former Proceedings. By this means he came to underſtand how the City was Fir'd by the Contrivance of the Jeſuites, was informed how the Deſign was carried on, and who were the Actors in the ſeveral Scenes of the Tragedy. Which he might well believe when he himſelf was a Witneſs how they had Fir'd *Southwark*, and were deſigning to have utterly laid waſt both the *Temple*, *Weſtminſter*, and the reſt of the Suburbs.

He alſo kept ſhort *Memorandums* of all paſſages of conſequence that happen'd from the time of his firſt admiſſion. Of all which he has given ſuch an exact Account, confirmed by other Circumſtances and collateral Evidence, that among ſuch a number of particular occurrences, no one thing has contradicted another, nor interfer'd with thoſe papers that have been found elſewhere, or with thoſe Informations that have been ſeparately given in by other Perſons. Nor was it poſſible that the Grand Aſſembly of the Nation conſiſting of ſo many perſpicacious Judgments, and by whom he was fully examined ſhould be ſo impoſed upon by one Man, as to Vote upon his Information that there was a Plot to Murder the King, alter the Govern-

ment,

ment, and ſubvert the Religion eſtabliſhed by Law, had they not been highly ſatisfied in the Credit and ſoundneſs of the Evidence.

As to the time of his Diſcovery, had he made it upon his firſt knowledge, he had acted with leſs prudence, and the Oppoſition he has met with plainly ſhews, that the Kingdom might probably have loſt the advantage of his delay, had he come unprovided to atteſt thoſe things which he could not ſo well have proved. Nor was he at his own diſpoſal, when firſt he enter'd into their Society. So that had he moved or acted either without or contrary to their Order, he had preſently been ſuſpected, watched and found out; but as ſoon as he had enough to convince the World, or at leaſt the Rational part, and that he was ſent from Saint *Omers* into *England*, he ſhewed his real intentions to preſerve his Majeſties Perſon and his Native Country from the bloody Contrivances of a boſom Enemy.

But what needs all this Juſtification? Heaven it ſelf aſſiſted the Diſcovery, and ſo directed their infatuated Councils, that contrary to all the dictates of common Sence and Reaſon, the Politic Jeſuites rang that bloody peal themſelves which wakened the drowſie unbelief of thoſe that ſcarce gave credit to the Story; and by cloſing the Eyes of one unfortunate Gentleman, opened the Eyes of the whole Nation.

For underſtanding that Sir *Edmund-Bury Godfrey*, one of his Majeſties Juſtices of the Peace

for the County of *Middlesex*, had taken the *Discoverers* Oath and Affidavit, and presuming that much of the Plot might be confess'd and made known to him, thinking to stifle his report in the Birth, they concluded to commit a Murther that Villany laugh'd at, and was Ridiculous to Folly it self.

The chief Instruments, for there were several others unknown to the Discoverer, set on and encouraged to act this fatal Tragedy were Father *Girald*, and Father *Kelly* two Priests, *Robert Green*, Cushion-Man to the Chappel of *Somerset-House*, *Lawrence Hill* servant to Dr. *Goddin*, Treasurer of the Chappel, *Henry Berry*, Porter, *Lawson* a Priest, *Philip Vernatti*, once belonging to my Lord *Bellasis*, and Mr. *Miles France*, by them deluded in to be an Assistant; though soon after, the Detector of the Fact and Persons.

These Men did not assign any particular reason for their malice, but onely in general that Sir *Edmund-Bury Godfrey* was a busie Person, and going about to ruin all the Catholics in *England*, and that it was necessary to destroy him or else they should be all undone.

This being their undoubted Maxim, they laid several distinct Plots, and employ'd divers separate Agents unknown to each other, to accomplish their design.

Several Consultations they had at the *Plow* near *Somerset-House*, and in other places, but the ultimate Result of all their Debates was this, That Sir *Edmund-Bury Godfrey* should be dogg'd as he walk'd the Streets, and that whoever of the

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Confederates ſhould firſt lodge him in a convenient place ſhould give the reſt notice.

In purſuance of this Reſolution, having watched him ſeveral days, and finding no opportunity, at length upon *Saturday* the 12 of *October* 1678. in the Morning, *Hill*, *Girald*, and *Green*, went forth to obſerve his Motion, and *Kelley*, knowing what they were gone about, went to Mr. *France*'s Houſe to acquaint him therewith, and to charge him to be in a Readineſs. The firſt three went near to Sir *Edmund-Bury*'s, and while two ſtay'd at a diſtance, *Hill* went up to the Houſe and underſtanding he was within, ſpake with him upon ſome pretended Story and ſo returned.

About ten or eleven a Clock Sir *Edmund-Bury* came forth all alone; and his unknown Attendants dogg'd him with great diligence all the reſt of the day to ſeveral places, as his occaſions led him, till about ſix a Clock at night, at what time he went into a great Houſe in St. *Clements*, where 'tis thought he ſupp'd. Then did *Green* leave the other two, came to Mr. *France*, and inform'd him, that they had now ſet Sir *Edmund-Bury Godfrey* in a Houſe in St. *Clements*, and bid him make all the haſt down to the Water Gate belonging to *Somerſet-Houſe*, where he ſhould find *Kelley* the Prieſt and *Berry* the Porter. Thereupon *France* went thither, and found them walking in the Yard, where they continued ſometimes walking, ſometimes ſitting till toward nine of the Clock. About which time Sir *Edmund-Bury*, coming out of the Houſe aforeſaid, *Hill* ran

ran before to give Notice that he was coming along; and to wheedle him in, he order'd that two ſhould pretend to be a quarrelling. Which done, *Hill* returns to the Water Gate to expect his coming and entice him in. In the mean time *Kelly* and *Berry* began a ſeeming quarrel, but made no great Noiſe, and Sir *Edmund-Bury* coming along, juſt as he was paſſing by the ſaid Water Gate, *Hill* ſteps to him in a great deal of haſt, crying, *For God's ſake Sir* Edmund-Bury Godfrey *be pleas'd to come in, for here are two Men quarrelling, and I fear there will be Bloodſhed between them.* Pugh-pugh, ſaid Sir *Edmund-Bury*, refuſing at firſt to trouble himſelf; but *Hill* ſtill urging and inſiſting that he was afraid there might be a great deal of miſchief done, and how glad he was to meet ſo opportunely with his Worſhip; Sir *Edmund Bury*, not ſuſpecting any harm, but deſirous to prevent any miſchance that might be occaſion'd by a quarrel, was perſuaded to follow him.

Hill enter'd the Gate firſt, Sir *Edmund-Bury* follow'd, and behind him immediately clapp'd *Girald* and *Green*. Theſe all making down in this order toward the Rails near the Queens Stables, where *Kelley* and *Berry* were pretending a quarrel, *Prance*, who ſtood cloſe by the wall conceal'd, goes up to ſecure the Water Gate, while *Berry* ſlipp'd to ſecure the Stairs and Paſſage by the Chappel.

And now having got him ſafe, *Green*, who kept cloſe behind, and had a large twiſted Handkerchief in readineſs, on a ſuddain threw it

it about his Neck, and immediately *Girald*, *Kelly*, *Green* and *Hill* fell upon him, ſecur'd his Sword, threw him down, and throtl'd him, ſo that he could neither call out, nor ſpeak; then drew him behind the Rail, and gave him many violent punches on the Breaſt with their Knees.

After they had thus manifeſtly bereaved him of his breath, *Girald* the Prieſt, fearing he was not quite dead, would have run him through with his Sword. But the reſt would not yield to that, for fear of being diſcovered by the Blood. However to make ſure work, *Green* got upon him, and punching him with his Knee upon the Breaſt with all his force, wrung his Neck quite round. Thus fell this unfortunate Gentleman, a needleſs Victime to their ſtupid Fury, to prevent the Sacrifice of three whole Nations, and ſave the Offering of Royal Blood to their cruel Idolatry.

After the buſineſs was fully done, *Prance* and *Berry* came from their Poſts, and then they all ſet to work to remove the Body, which they carried in at a door right againſt the place where he was murthered, and ſo into a little Room in Doctor *Goddin*'s Lodgings, where *Hill* lived; and where they placed the Corps with the back leaning againſt a bed.

There the Body lay all *Saturday* Night, *Sunday* all Day and Night, till *Munday* at Night; but then they carried it into another Room croſs the upper Court of *Somerſet Houſe*.

There

There it continued all *Monday* and *Tueſday* till nine a Clock; and then *Girald*, *Kelly*, *Green*, *Hill* and *Berry* took him out of that Room, and removed him into another oppoſite to Doctor *Goddin*'s door, ſuppoſed to belong to Sir *John Arundel*'s Lodgings.

There the Body lay from *Tueſday* Night till *Wedneſday* about nine a Clock at Night, and then the five forementioned perſons removed it again to the Room in Doctor *Goddin*'s Lodgings, where it firſt lay. In this removal they were frighted by Mr. *Prance*'s coming, ſo that they ran away and left the Body for a while, but being call'd to by Mr. *Prance*, and knowing his Voice, they return'd to their Labour.

Having thus ſeveral times removed the Body they entered into a deep debate, how and where to diſpoſe of it for their beſt ſecurity. The reſult of which was, that he ſhould be carried into the fields and laid in ſome obſcure place, in ſuch a manner, that when ever he ſhould be found, it might be ſuppoſed that he had Murdered himſelf. And this they thought would be much for the Intereſt of the Church, when it ſhould come to be known, that he who was ſo buſie in charging the Catholics with a Plot, had been afterwards ſo troubled in mind, as to kill himſelf; and therefore it was agreed that none of his Money or other things ſhould be meddled with.

This reſult being well approved of, they reſolved to carry away the Body that Night, be-

being the ſixteenth of *October*. To which purpoſe *Hill* procured a Sedan late in the Night, into which they forced in the Body, by bending it into a fit poſture. When they had got the Body in, they carried it over the Court-yard toward the Lodge, and then giving a *Hem*, which was the ſign, *Berry* came forth and opened the Gate, and ſo with Heart and good Will away went *Prance* and *Girald* firſt with their burthen, as far as *Covent-Garden*, where they were relieved by two more, who Footed it on as far as *Long-Acre*; then *Girald* and *Prance* took up their load again, and carried it to the *Grecian Church* near *Soho*. When they had the Murdered Cavalier there, having a Horſe ready, they forced open his Legs, and mounted him aſtride, and then ſet up *Hill* behind to hold him up ſteady, at which time *Girald* ſpoke theſe words, *I wiſh we had a hundered ſuch Rogues as ſecure as this.* Then *Hill*, *Girald*, *Kelly*, and *Green* attended upon him in ſuch manner, that he ſeemed to ride in great State, one leading the Horſe, and the other two walking on each ſide; and ſo they conveyed the Body to a field near *Primroſe Hill*, where they laid it in a Ditch, firſt run through with his own Sword, and left his Scabbard and Gloves at a diſtance not far off.

The next Morning the Murderers met and gave an account of it to Mr. *Prance* who went no farther than *Soho*: and in a paper ſet down a Narrative of their Heroic Act. Nor is it unlikely but that it was ſent to *Rome*, where it found

found as great Approbation, and cauſed as great joy, as ſome other Acts of theirs of the ſame nature have formerly done.

Some time alſo after the fact committed they had a meeting at the *Queens Head* at *Bow*, where the forementioned Narrative was produced and read, which made them very merry, and ſo jocundly loud they were in reading it, that they were over heard by ſome, who gave evidence at their Tryal, that there was a paper their read which concern'd Sir *Edmund-Bury Godfrey*.

On *Thurſday* in the afternoon the Body was found in a Ditch with his Sword run through him, two handfuls out of his Back, with his Neck diſlocated and his Breaſt very much beaten and bruiſed. In that condition after the Coroners Jury had given in their Verdict that he was Murdered by a Confederacy of Aſſaſſinates the Corps was carried home, and afterwards ſolemnly buried in the Church of St. *Martins* Pariſh in the fields, his Funeral Sermon being Preached by the Learned and Reverend Dr. *Lloyd* Dean of *Bangor* the Miniſter of the Place.

The confuſed Rumour of the Plot, and the loud noiſe of this Murder, ſtrangely Alarm'd the whole Nation; but who did it, or upon what motives or provocations, was a Myſtery long concealed, and all people groped only in the dark of Conjecture. Some there were that ſuſpected the Papiſts, but they would by no means hear of any ſuch accuſation, and therefore threw out various reports that his own Relations had murdered him to get his Eſtate; that

he

he was mad, and that he had married beneath himſelf and therefore lay conceal'd.

However the King both for his own and the ſatisfaction of his people, was pleaſed to iſſue forth his Royal Proclamation, wherein he promiſed a very conſiderable reward to them that ſhould firſt diſcover the Authors and Contrivers of ſo horrid a Murder. Yet all the Confederates being at that time either Prieſts or zealous Bigots, whoſe Conſciences were overpowred by the perſuaſive exaſperations of their diabolical Confeſſors, they firmly kept the Grand Secret, till Mr. *William Bedloe* aw'd at firſt by the ſtrong obligation of the Sacrament of the Altar twice a week Adminiſtred to him to keep him ſteddy, at length by a ſecret impulſe of Heaven, and convinced by the wicked deſigns wherein he had been ſo oft engaged by Men pretending Sanctity, return'd from *Briſtol*, where his reſtleſs mind had carried him, and of his own accord came in, and began the Diſcovery. After which, by the accidental knowledge of Mr. *Prance* in the Lobby of the Houſe of Commons, he opened a way to the full diſplaying of the Myſtery.

But leaving this ſubject for a while we muſt take notice that three or four days before this, on the twenty firſt of *October* 1678. the Parliament in purſuance of his Majeſties laſt Prorogation met at *Weſtminſter*, and the next day Doctor *Oates* was examined before the Commons, as he was alſo before the Houſe of Lords the day following. Upon which his Majeſty was pleas'd

to

to iſſue forth ſeveral Proclamations one after another, as well in reference to the Plot diſcovered, as alſo for the future ſecurity of his Royal Perſon and Government.

The firſt was a Proclamation for a General Faſt, appointed to be kept the 13*th* of *November* following.

The next was a Proclamation commanding all Popiſh Recuſants to depart ten miles from the City of *London*.

And the third was a Proclamation that no Officers or Souldiers of his Majeſties Guards ſhould be a Papiſt.

His Majeſty alſo obſerving the affection of both His Houſes towards His Royal Perſon, and their zeal for the ſecurity of the Nation, was pleaſed to make them a moſt Gratious Speech, wherein he gave them thanks for the care which they took of his Government and Perſon, promiſing to paſs all Acts which they ſhould make for preſervation of the Proteſtant Religion.

During theſe Proceedings of Parliament and Council, one *Staley* having out of the abundance of his Heart, on the fourteenth of *November* 1678. ſpoken moſt deſperate treaſonable words againſt the King, and being the next day apprehended for the ſame, was brought publicly to his Tryal at the King's Bench Bar in *Weſtminſter Hall*, upon the twenty firſt of the ſame Month.

This

This *Staley* was a Goldſmith in *Covent*-Garden, and the reaſon of his inveteracy againſt the King, is ſaid to be, for that being a Papiſt and a Goldſmith that dealt in money, he found his Trade decay; becauſe the Catholicks, with whom his chiefeſt dealings were, call'd in their money faſter than he deſir'd, upon the diſcovery of the Plot.

The Treaſon urged againſt him was this, that being at the *Black Lyon* in *King-ſtreet* in the new Buildings between *High Holborn* and *Long-acre* with one *Fromante* his Friend: the ſaid *Fromante*, among other diſcourſe, was ſaying, *That the King of* England *was a great Tormentor of the people of God.* Upon which, the ſaid *Staley* flew out into a violent Paſſion, and made anſwer, with the addition of other irreverent words, *That the King was a great Heretick, there's the heart, and here's the hand, I would kill him my ſelf.*

Theſe words being ſpoken in *French*, were diſtinctly underſtood by two *Engliſh* Gentlemen, that over-heard and ſaw the ſaid *Staley* when he ſpoke them, the door of the Room being open. And this alſo in the preſence of another that did not underſtand *French*, to whom the others immediately interpreted the words.

He was endited for Imagining and Contriving the Death of the King.

The Jury were,

Sr. *Philip Matthews*,	*Simon Middleton*, Eſq;
Sr. *Reginald Foſter*,	*Thomas Croſs*, Eſq;
Sr. *John Kirk*,	*Henry Johnſon*, Eſq;
Sr. *John Cutler*,	*Charles Umphrevil*, Eſq;
Sr. *Richard Blake*,	*Thomas Egglesfield*, Eſq;
John Bifield, Eſq;	*William Bohee*, Eſq;.

The Witneſſes ſwore the words poſitively upon him; and the Statute of this Kings Reign making deſperate words to be Treaſon, was read and urged againſt him. But his defence was weak, while he only endeavoured to evade the Crime, by alledging a miſtake of the Expreſſion; as if he had ſaid, *I will kill my ſelf*, inſtead of, *I will kill him my ſelf*. But that ſhift would not ſerve; for the Jury ſoon brought him in Guilty: whereupon he was condemn'd to be hang'd, drawn and quarter'd: which Sentence was upon the 26th of the ſame month executed accordingly. So that he had this honour, to be the Popes firſt Martyr for the Plot. It was his Majeſties pleaſure, that his Relations ſhould have the diſpoſal of his Quarters, to give them a decent and private burial; but they abuſing his gracious favour, with a publick, and more than ordinary funeral Pomp, his buried Quarters were ordered to be taken up, and to be diſpoſed by the Common Executioner upon the Gates of the City.

1678. Next to him, *Coleman* became the publick ſpectacle of his own conceit and Ambition.

He

He had been committed to *Newgate* by the *Council* upon the 30th of *September*, which was the next day after Dr. *Oates*'s first Examination.

He was brought to his Tryal upon the 27th of *November*, before the Judges of the *Kings Bench*.

The Jury were,

Sr. *Reginald Foster*,	*Simon Middleton*, Esq;
Sr. *Charles Lee*,	*Henry Johnson*,
Edward Wilford, Esq;	*Charles Umphreville*,
John Bathurst, Esq;	*Thomas Johnson*,
Joshua Galliard, Esq;	*Thomas Egglesfield*,
John Bifield, Esq;	*William Bohee*.

The general Charge of the Enditement, was for an intention and endeavour to murder the King; for an endeavour and attempt to change the Government of the Nation; for an endeavour to alter the Protestant Religion, and instead thereof to introduce the *Romish* Superstition and Popery.

The particular Charges were, one or two Letters written to Monsieur *Le Chaise*, Confessor to the King of *France*, to excite and stir him up to procure aid and assistance from a Forreign Prince, Arms and Levies of Men. That this Letter was delivered, and an Answer by him received, with a promise that he should have Assistance. That he wrote other Letters to Sr. *William Throckmorton*, who traiterously conspired with him, and had intelligence from time to time from him.

The main things insisted upon for the Evidence to prove, were first, That there had been a more than ordinary design to bring in the Popish, and extirpate the Protestant Religion.

That the first On-set was to be made by a whole Troop of Jesuites and Priests, who were sent into *England* from the Seminaries, where they had been train'd up in all the Arts of deluding the people.

That there was a Summons of the principal Jesuits, the most able for their head-pieces, who were to meet in the *April* or *May* before, to consult of things of no less weight, than how to take away the Life of the King.

That there was an Oath of Secrecy taken, and that upon the Sacrament. That there were two Villains among them, who undertook that execrable work, for the rewards that were promised them: Money, in case they succeeded; and Masses for their souls, if they perished.

That if the first fail'd, there were also four *Irish* men recommended to the Caball, men of mean and desperate Fortunes, to make the same attempt, when the King was the last Summer at *Windsor*.

That Forces, Aids and Assistances were prepared to be ready both at home and abroad, to second the Design.

That Mr. *Coleman* knew of all this, and encouraged a Messenger to carry money down as a reward of those Murderers that were at *Windsor*.

That there were Negotiations to be maintain'd with publick persons abroad, money to be procured, partly from friends at home, and partly beyond

beyond Seas, from thoſe that wiſh'd them well; in all which Negotiations, Mr. *Coleman* had a buſie hand.

That this Conſpiracy went ſo far, that General Officers were named and appointed; and many engaged, if not liſted: and this not only in *England*, but in *Ireland* likewiſe.

That the great Civil Offices and Dignities of the Kingdom were alſo to be diſpoſed of, and that *Coleman* was to have been Secretary of State, and had a Commiſſion from the Superiours of the Jeſuits, to act in that Quality. That he had treated, by vertue thereof, with Father *Ferrier*, and *La Chaiſe*, Confeſſors of the King of *France*, for the Diſſolution of the Parliament, and Extirpation of the Proteſtant Religion: to which purpoſe, he had penned a Declaration with his own hand, to juſtifie the Action, when the Parliament was diſſolved.

That he kept intelligence with *Cardinal Norfolk*, with Father *Sheldon*, and the Popes *Internuntio* at *Bruſſels*. Laſtly, that he kept a Correſpondence with Sr. *William Throckmorton*, to the deſtruction of the King and Kingdom.

Being arraign'd for theſe crimes, he inſiſted to have had Council allowed him; which was deny'd for this reaſon, for that the proof lay all on the other ſide; which if it were plain, there would be no need of Council.

As to the proofs of theſe Crimes by the two Witneſſes, Dr. *Oates*, and Mr. *Bedlow*, it was firſt proved by Dr. *Oates* alone, That there was a general Conſult or meeting of the Jeſuits in *April* Old Stile, and *May* New Stile, at the *White*

Horſe Tavern in the *Strand*, and afterwards they divided into Companies; and in thoſe Conſults they conſpired the death of the King, and contriv'd how to effect it. That to that purpoſe *Grove* and *Pickering* were actually imployed to murder the King, and to piſtoll him in St. *James*'s Park. For which *Grove* was to have 1500 *l.* in money, and *Pickering*, being a Prieſt, thirty thouſand Maſſes, which was computed to be equal to 1500 *l.* That to this Contrivance and Conſpiracy, *Coleman* was privy, and did well approve of the ſame.

It was alſo farther prov'd by the ſame Witneſſes, that four *Iriſh* men were provided by Dr. *Fogarthy*, and ſent to *Windſor*, there to make a farther attempt upon the Royal Perſon of the King: and fourſcore Guinneys were provided by *Harcourt* to maintain the Aſſaſſinates at *Windſor*; and that while this Conſpiracy was in Agitation, *Coleman* went to viſit *Harcourt* at his Lodging; but not finding him there, and being inform'd he was at *Wild Houſe*, that he went and found him out there: at which time, *Coleman* asking what proviſion *Harcourt* had made for the Gentlemen at *Windſor*? *Harcourt* reply'd, that the fourſcore Guinneys which lay upon the Table, were for them; and added, that the perſon in the Room was to carry the money. Upon which, it was farther proved, that *Coleman* ſhould reply, That he lik'd it very well; and that he gave a Guinney out of his pocket to the Meſſenger, who was to carry the money to *Windſor*, to encourage him to expedite the buſineſs. It was further ſworn by Dr. *Oates*, That in *July* laſt one *Aſhby* a Jeſuit, brought

brought inſtructions from *Flanders* to *London*, that in caſe *Pickering* and *Grove* could not kill the King at *London*, nor the four Iriſh men aſſaſſinate him at *Windſor*, that then the ſum of ten thouſand pounds ſhould be propos'd to Sir *George Wakeman*, to poyſon the King. In this conſpiracy Mr. *Coleman* was prov'd to be ſo far concern'd, that by the Letters which paſs'd between *Whitebread* and *Aſhby*, it appear'd that he ſhould ſay, he thought ten thouſand pound was too little, and that he thought it neceſſary to offer five thouſand pound more: which upon his admonition and advice was aſſented to by the Jeſuites. It was alſo further ſworn by Dr. *Oates*, that he ſaw Letters from the Provincial at *London*, to the Jeſuites at St. *Omers*, that Sir *George* had accepted the Propoſition.

The ſecond witneſs was Mr. *Bedlow*, who ſwore, that he was imployed by *Harcourt*, the Jeſuite, to carry Pacquets of Letters to Monſieur *Le Chaiſe*, the French Kings Confeſſor, and that he was at a Conſult in *France*, where the Plot was diſcours'd on for killing the King; and that he brought back an anſwer from *Le Chaiſe* to *Harcourt* in *London*; and that particularly on the 24*th*. or 25*th*. of *May*, 1677. he was at *Colemans* houſe with father *Harcourt*, and ſome other perſons, where Mr. *Coleman*, falling into diſcourſe concerning the deſign in hand, ſaid theſe words, *That if he had a Sea of blood, and a hundred lives, he would loſe them all to carry on the deſign; and if to this end it were requiſite to deſtroy a hundred Heretick Kings, he would do it.* The other part of the evidence conſiſted of Papers and Letters, generally relating to prove the

latter part of the Enditement, *viz.* the extirpation of the Proteſtant Religion, introducing Popery, and ſubverting the Government.

This was plainly proved by a long Letter written by Mr. *Coleman*, dated *Sept.* 29. 1675. and ſent to Monſieur *Le Chaiſe* before-named: wherein he gave him an accompt of the tranſactions of ſeveral years before, and of his correſpondence with Monſieur *Ferrier*, predeceſſour to the ſaid *Le Chaiſe*; wherein he aſſerted that the true way to carry on the intereſt of *France*, and to promote the Catholick Religion in *England*, was to get the Parliament diſſolv'd: which he ſaid, had been long ſince effected, if three hundred thouſand pounds could have been obtained from the French King: and that things were yet in ſuch a poſture, that if he had but twenty thouſand pound ſent him from *France*, he would be content to be a ſacrifice to the utmoſt malice of his enemies, if the Proteſtant Religion did not receive ſuch a blow that it could not poſſibly ſubſiſt. The receipt of which Letter was acknowledged by Monſieur *Le Chaiſe*, in an anſwer which he wrote to Mr. *Coleman*, dated from *Paris*, *Octob.* 23. 75. wherein he gave him thanks for his good ſervice in order to the promotion of the Catholick Religion.

Another Letter was produced, dated *Auguſt* 21. 74. written by the priſoner *Coleman* to the Popes *Internuncio* at *Bruſſels*, wherein he ſaid that the deſign proſpered well, and that he doubted not but that in a little while the buſineſs would be managed to the utter ruine of the Proteſtant party.

Other

Other Letters were brought in Evidence, wherein he wrote to the King of *France*'s Confeſſor, that the aſſiſtance of his moſt Chriſtian Majeſty was neceſſary, and deſir'd money from the French King to carry on the deſign.

But there was another without a date, more material than all the reſt, written to Monſieur *Le Chaiſe* in a ſhort time after his long Letter, dated *Sept.* 29. 1675. wherein among other things, the Priſoner thus expreſs'd himſelf. *We have a mighty work upon our hands, no leſs than the Converſion of three Kingdomes, and the utter ſubduing of a peſtilent Hereſie, which has for ſome time domineer'd over this Northern part of the World; and we never had ſo great hopes of it ſince Queen* Maries *days.* In the cloſe of which Letter he implor'd Monſieur *Le Chaiſe* to get all the aid and aſſiſtance he could from *France*, and that next to God Almighty, they did rely upon the mighty mind of his moſt Chriſtian Majeſty, and therefore hop'd that he would procure both money and aſſiſtance from him. And thus was the latter part of the Enditement fully prov'd upon him.

There was another Letter produced againſt him, which he wrote to Monſieur *Le Chaiſe* in *French*, in the Dukes name, but without his privity or knowledge, ſo that when he had the boldneſs to ſhew it to the Duke, he was both angry and rejected it. It contain'd ſeveral invectives againſt my Lord *Arlington*, as being a great oppoſer of the Duke's deſigns, and the chief promoter of the match between the Prince of *Orange* and the Dukes eldeſt daughter the Lady *Mary*.

As for the long Declaration which he wrote as if he had been an actual Secretary of State, and employ'd by ſome certain King his Maſter, to juſtifie the Diſſolution of his Parlament, it was produc'd rather to ſhew his good intentions to his true Soveraign, and as a circumſtance to confirm the reſt, than otherwiſe. To all this Mr. *Coleman* made the ſlendereſt defence imaginable. Only being charg'd that he was at a Conſult with the Jeſuites and Benedictine Monks in *Auguſt*, at the *Savoy*, he endeavour'd to prove that he was all that Month in *Warwickſhire*; but his witneſs, which was but ſingle, not being able to make any poſitive anſwer to the queſtions demanded by the Court, his teſtimony nothing avail'd him, no more than his cavil with Doctor *Oates*, that he did not charge him at the Council, with all the matters in the Inditement. For it was fairly prov'd by one of the Clerks of the Council that he charg'd him ſeverely enough to have him committed to *Newgate*. And that was ſufficient for the Proſecutor to do, till he came to give his full evidence at the Tryal.

As to the Letters, he ſaid they were only intended for the making the King and the Duke as great as could be, as far as he thought it in his power: to which end he deſired the Court to conſider the contexture and connexion of the things therein contain'd.

After this the Court took notice to the Jury of the Accuſation it ſelf, and of the Evidence, which was of two ſorts, Letters under his own hand, and witneſſes *viva voce*.

That

That as to the Letters, he rather made his defence by expounding what the meaning was, than by denying that he wrote them. So that they were to examine what thoſe Letters did import of themſelves, and what conſequences were naturally to be deduc'd from them. However it was the opinion and direction of the Court, that the ſubſtance of the long Letter amounted to this; that is ſo ſay, to bring in the Romiſh Catholick Religion, and to eſtabliſh it here, and to advance an intereſt for the French King, be that what it would. That his laſt Letters did more plainly expound his meaning and intention, that when our Religion was to be ſubverted, the nation was alſo to be ſubverted and deſtroy'd: In regard there could be no hope of ſubverting or deſtroying the proteſtant Religion, but by the ſubverſion, not the converſion of the three Kingdomes.

As to the Witneſſes *viva voce*, becauſe the Jury had heard their evidence, the Court did not inſiſt upon it: only directed the Jury to conſider what the Letters did prove the priſoner guilty of directly, and of what by Conſequence; what the priſoner plainly would have done, and how he would have done it.

Upon this the Jury withdrew, and after a ſhort ſtay returning gave up their Verdict, which was *Guilty*; and ſo Mr. *Coleman* was for that day remanded back to the priſon, with order to the Keeper to bring him the next morning again to the Bar to receive Sentence.

The next day, being the 28*th.* of *November*, the Priſoner was again brought to the Bar according

to

to Order, where being ask'd what he had to ſay for himſelf, he inſiſted as to his Papers upon the Act of Grace. As to the evidence *viva voce*, he made the ſame exceptions he had done before, only added that he wanted a book of accompts which had been ſeiz'd on among his Papers, by which he could invalidate Dr. *Oates*'s teſtimony, by making it appear he was out of Town all *Auguſt*.

To the firſt it was anſwer'd that he could have no benefit of the Act of Grace, in regard his Papers bore date in 74. and 75. ſince which time there had been no Act made. And as for what he ſaid concerning Mr. *Oates*, it was urg'd in vain, in regard the Jury had given their Verdict.

The Exhortations which the Court gave him were in ſhort, That whereas he was found guilty of conſpiring the death of the King, of endeavouring to ſubvert the Proteſtant Religion, and to bring in Popery, and this by the aid and aſſiſtance of foraign powers, though he ſeem'd to diſavow the matter of the death of the King, he ſhould not therefore think himſelf an innocent man. For that it was apparent by his own hand, that he was guilty of contriving and conſpiring the deſtruction of the proteſtant Religion, and the introduction of Popery, by the aid and aſſiſtance of foreign powers, from which no man could free him in the leaſt. And though it ſhould be true, that he would diſavow that he had not an actual hand in the contrivance of the Kings death, which however two witneſſes poſitively ſwore againſt him; yet he was to know, that

he

he that would ſubvert the Proteſtant religion here, and conſequentially bring in a foreign authority, did an act in derogation of the Crown, and in diminution of the Kings Title and ſoveraign Power: and made it his endeavours to bring a foreign Dominion both over our Conſciences and Eſtates. So that if any man ſhould endeavour to ſubvert our Religion, to bring in that, though he did not actually contrive to do it by the death of the King; yet that he was guilty of whatſoever follow'd upon that contrivance. He was further exhorted to repentance, which was the only thing that remain'd. And that if he could not with our Church have *Contrition*, which is a ſorrow proceeding from Love, he would at leaſt make uſe of *Attrition*, which is a ſorrow proceeding from fear. For that he might aſſure himſelf, there were but a few minutes betwixt him, and a vaſt Eternity, where would be no dallying, no arts us'd. And therefore that he ſhould think upon all the good he could do in that little ſpace of time that was left him; which was all little enough to wipe off, beſides his private and ſecret, even his publick offences. He was admoniſhed that Confeſſion was very much practis'd in the Religion which he profeſs'd, and that he would do well to exerciſe it; but yet, that as his offence was publick, ſo ſhould his Confeſſion be. Perchance, ſaid the Court, he might be deluded with the fond hopes of having his ſentence reſpited. But he was exhorted not to truſt to it, for that he might be flatter'd to ſtop his mouth till his breath were ſtopp'd, which it was fear'd he would find by the event.

These friendly and Christian-like Exhortations being concluded by the Judge, he then proceeded to the final sentence of the Law, which was, that he should be Hang'd, Drawn, and Quarter'd.

The fatal sentence being past, Mr. *Coleman* offer'd some few things to the Court, the sum of which was this, That he did admire the Charity of the Court, and whereas the Court advised him to Confession, he besought their Lordships to hear him some few words. The Court indeed had the patience to hear him: but what did all his fine words signifie? They contain'd nothing but a florid justification of his own innocency, in opposition to the verdict of his Countrey. A vanity excusable in him whose vanity had been his ruine, and commonly practicable among offenders conceited of their Eloquence, that pride themselves to be accompted Swans, and the sweet singers of their own Epitaphs.

By the Conviction of *Staly* the malice of the Papists hearts appear'd, though they conceal'd it with better discretion. By the Conviction of *Coleman*, the whole nation, and they that doubted most were convinced of the truth of the design. So that upon the 28*th*. of *Novemb*. his Majesty was pleas'd to issue forth his Royal Proclamation, wherein he promis'd pardon and 200 *l*. to any person concern'd in the Plot, that would come in and discover before the 25. of *December*. And within two days after his Majesty was also pleas'd to give his Royal assent to an Act, to disable *Papists* to sit in either Houses of Parliament.

December. All this while *Colemans* Execution was reſpited. For as it was verily thought that he could diſcover much, all endeavours were uſed to have brought him to a further Confeſſion. But he believing himſelf ſure of a pardon from other hands, would by no means give ear to thoſe, who he had more reaſon to think had his life at their diſpoſal. And therefore finding that he was obſtinate to all propoſitions of grace and favour, at length order was given for his Execution. It was his misfortune to believe he ſhould have his pardon to the laſt moment of his life, even after he was tyed up. But, whoever they were, thoſe whom he thought his beſt friends deceiv'd him, although to pleaſe them, he gave thanks to heaven that he dyed a *Roman Catholick*, and abſolutely renounc'd the knowledge of Sir *Edmundbury Godfrey*'s death: with which aſſeverations the Executioner did his office, the third of this month. An unhappy Martyr for his cauſe, if he ſo thought himſelf, in this, that he dy'd for thoſe that leſs pity'd him than thoſe he had ſo deeply wronged; and were, as it is verily preſum'd, the chief rejoycers, that they were ſo fairly rid of him.

Had Juſtice been ready with her proſecution he had not gone alone perhaps, but might have had company to have attended him to his imaginary Paradiſe. For upon the 15*th.* of this month, *John Grove*, *William Ireland*, and *Tho. Pickering*, apprehended ſometime before by the diligent purſuit of the diſcoverer, were alſo brought to their Tryals at the Seſſions in the *Old-Baily*.

The

The Names of the Jury were,

Sr. *William Roberts*, Bar.	*John Byfield*, Eſq;
Sr. *Philip Matthews*, Bar.	*Thomas Egglesfield*, Eſq;
Sr. *Charles Lee*, Knight.	*Thomas Johnſon*, Eſq;
Edward Wilford, Eſq;	*John Pulford*, Eſq;
John Foſter, Eſq;	*Tho. Ernsby*, Eſq;
Joſhua Galliard, Eſq;	*Richard Wheeler*, Gent.

The ſubſtance of the Indictment, was for conſpiring and attempting the death of his Sacred Majeſty; as alſo for endeavouring and contriving to alter the Religion eſtabliſhed in the Nation, and to introduce Popery in its room.

The particular Charges conſiſted in the particular proofs, how every one of theſe Offenders was particularly concerned for the carrying on, and effecting theſe deſigns.

To this purpoſe it was ſworn by Dr. *Oates*, That *Whitebread* received a Patent from the General of the Jeſuites at *Rome*, to be Provincial of the Order in theſe parts, and by vertue of that Commiſſion, ſent to St. *Omers* for ſeveral of the Society to make their appearance at *London*, to the end they might be perſonally there at a Conſult, which was to be held the 24th of *April Stilo Veteri*. That upon the receipt of the ſaid Summons, the 5th of *April* Nine of them, of which the Diſcoverer was one, did come to *London*. That upon the ſaid 24th of *April* the Conſult was held at the *White Horſe* Tavern accordingly; and that the Priſoners at the Bar were there.

That

That it was there reſolved, that *Pickering* and *Grove* ſhould go on in their attempt upon the King; for which *Grove* was to have 1500 *l.* and *Pickering* the reward of 30000. Maſſes. Which Reſult was alſo ſign'd by the Priſoner *Ireland.*

That there was an Oath of Secrecy adminiſter'd at the ſaid Conſult by *Whitebread*, which *Ireland* took among the reſt.

Mr. *Bedlow* ſwore, That either in *Auguſt*, or the beginning of *September* he was at *Harcourt*'s Chamber, where it was reſolv'd, that ſince the Ruffians had miſs'd Killing of the King at *Windſor*, *Grove* and *Pickering* ſhould go on; and that one *Conyers* ſhould be joyn'd with them to aſſaſſinate the King in his morning walks at *New-market*, and that *Ireland* was there alſo, heard all, and gave his conſent.

Againſt *Grove* and *Pickering* it was ſworn by Dr. *Oates* that he ſaw them ſeveral times walking together in the Park, with their ſcrew'd Piſtols, which were longer than ordinary Piſtols, but ſhorter than a Carbine.

That they had Silver Bullets, and that *Grove* would have had the Bullets chew'd, leſt the wound ſhould not have prov'd mortal.

That *Pickering* had once a fair opportunity, but that the flint of his Piſtol being looſe, he durſt not venture to give fire; and that for that negligence of his, he was forc'd to undergo penance, and to receive twenty or thirty ſtrokes of Diſcipline.

That *Grove* did go about with one *Smith* to gather *Peter-pence.*

That *Grove* confeſs'd to him, that he with three Iriſh-men did fire *Southwark*, for which *Grove* had 400 *l.* and the three Iriſh-men 200 *l.* a-piece.

Mr. *Bedlow* ſwore againſt *Grove* in particular, that in the buſineſs of killing the King, he was more forward than the reſt, and that he ſhould ſay, *Since it could not be done clandeſtinely, it ſhould be openly attempted.*

As to the reward, he ſwore it to be the ſame with Dr. *Oates* before.

The defence which the Priſoners made, was nothing but a bare denyal of the matter of Fact. Only *Ireland*, being charg'd in *Aug.* labour'd very much to prove that he was out of Town all that time, though it were re-prov'd by very good circumſtances, and upon oath for the King, that he was ſeen in *London* upon the 12. or 13*th.* of the ſame month.

His next defence was a weak reflection upon Dr. *Oates*'s credit, to which purpoſe an Indictment for perjury never proſecuted, was urg'd againſt him; but the Attorney General made ſlight of it, as of a thing that had nothing in it. Neither was that which Sir *Dennis Aſhbornham* ſaid, of greater force, ſeeing that the irregularities of Children, are no impediment, but that they may prove good men. So that the Endictment being fully prov'd againſt them by good witneſſes, and the concurrence of the Evidence in every particular, the Jury made no long ſtay before they return'd, and brought them in all *Guilty.*

After this the Court adjourn'd till the afternoon, and then the Priſoners being again brought

to

to the Bar, were all three condemn'd to be Hang'd, Drawn, and Quarter'd.

While Humane Juſtice was thus employ'd upon Earth, Divine Vengeance was no leſs active above. No longer could it ſuffer innocent blood to clamour unreveng'd. And therefore where *Bedlow* fail'd, much about this time, by a ſtrange accident was *Praunce* diſclos'd, to make out all the reſt.

For at what time *Fenwick*, *Ireland*, and ſome others were firſt apprehended, Mr. *Praunce*, happening to be at a Coffee-houſe, where ſome Gentlemen were talking ſomewhat ſeverely againſt the ſaid Priſoners, zealouſly and officiouſly began to ſpeak ſo favourably in their defence that notice was taken of his words, and as he was told, ſome information given againſt him. To avoid therefore both charge and trouble, he abſented himſelf from his houſe the next three nights together. After which time, underſtanding the buſineſs was over, he return'd home again and continu'd there as he was wont to do. This happen'd about a fortnight before Sir *Edmundbury* was murther'd. Yet upon this occaſion, ſo providence order'd it, was he twelve weeks after apprehended and call'd in queſtion. For it chanc'd that one of his neighbours and he fell out, who having got ſome intimation that Mr. *Praunce* lay out of his houſe three nights one after another, began to queſtion whether thoſe three nights might not be the night that Sir *Edmundbury Godfrey* was kill'd, and thoſe that follow'd: And upon this bare ſurmiſe or preſumption, that had no ground or bottom in the world, that either he or any that he knew, were guilty

or any way concern'd in the fact, a warrant was obtain'd from the Lords of the Council, to apprehend Mr. *Praunce*, and to take him into a ſtrict examination. Being thus taken by vertue of the warrant, he was firſt carry'd into the Lobby of the Houſe of Commons, where Mr. *Bedlow*, whom he knew not, as being a perſon that had ſeen him but once before, that is to ſay, between the Murther and the carrying forth of the Corpſe, but then taking ſome little notice of him, knew his face again, and poſitively charg'd him to have been concern'd in the murther, whereupon he was examin'd and committed to *Newgate* the 21*ſt*. of this month. Within two days after, he made a full diſcovery upon Oath, impeaching *Fits-Girald*, *Kelly*, *Hill*, *Berry* and *Green*. *Green* was before in the *Gate-houſe* for refuſing the oaths. *Hill* and *Berry* were preſently apprehended. But the cunning Prieſts got away.

Upon the 24*th*. he was carried before the King and Council, to whom he gave a faithful and particular accompt of all the circumſtances of the Murther. Which becauſe it contain'd ſo many deſcriptions of benches, doors, entries and rooms, his Majeſty was pleas'd to order the Duke of *Monmouth*, the Earl of *Oſſory*, the Earl of *Clarendon*, and Sir *Robert Southwell* to go with the priſoner, and take his Examination upon the place. At which time he gave ſuch an exact accompt of the places which he had mention'd before, *viz*. the very ſpot upon which the murther was committed: where he himſelf, where *Berry* ſtood, as alſo the door, ſtairs, dark entry, *&c*. mention'd in the Narrative, that his Majeſties Commiſſioners

missioners return'd very well satisfy'd with the truth of his Relation and Confession.

True it is that Mr. *Praunce* did afterwards seem to retract by a bare affirmative, what he had formerly confess'd upon Oath, saying before the King and Council, *That he was innocent, and the rest whom he had accus'd were also innocent.* But these words were extorted from his own fears and consternation, that set before his eyes the danger of his life, and the undoing of his wife and family. For he had no sooner done it, but his Conscience troubling him above all those considerations, he recoyl'd from those false assertions, and so strenuously and regularly maintain'd the Truth to which he had sworn, by an addition of farther discoveries, that the King was pleas'd with his own Lips to assure him of his Pardon, which was afterwards delivered to him in due form under the Great Seal.

Kelly was afterwards taken up by the name of *Daniel Edmunds*, in some place in *Surrey*, and sent to the *Marshalsea* for refusing the Oaths; but being deeply sensible of the danger he was in, he so wrought upon the Poverty of that place, that he procur'd bail for ten shillings apiece, and got away this very Month, before his true name of *Kelly* was known.

Much about this time the Parliament took into their serious consideration certain transactions of the Earl of *Danby*, then Lord High Treasurer, and after a strict Scrutiny into the business, upon the 19*th*. of this Month, resolved, that there was sufficient matter of Impeachment against him, and order'd a Committee to draw up the Articles,

and to receive any further Informations or Evidence that ſhould come in.

Within two days after ſeveral Articles of Impeachment were brought into the Houſe, ſeverally put to the Queſtion and agreed upon; the ſame day they were order'd to be engroſs'd; and votes further paſs'd that the ſaid Earl ſhould be ſequeſter'd from Parliament, and committed to ſafe Cuſtody. Which that it might be the ſooner effected, they ſent up Sir *Henry Capell* with the Articles to the Lords, who accordingly went and deliver'd them to the Chancellour in a full aſſembly of that houſe, but the houſe being prorogued at the latter end of the Month till the 4*th.* of *February*, nothing more was done for that Seſſions.

However before they were prorogu'd they paſs'd ſeveral reſolves for impeaching the five Lords in the Tower, of Treaſon and other high Crimes and Miſdemeanors; and the ſame day, which was the 5*th.* of this month, the five ſeveral Impeachments were carry'd up to the Lords, and a Committee appointed to draw up Articles againſt the parties impeach'd; to which purpoſe the ſaid Committee was impowr'd to inſpect the Journals, and conſider of Preſidents for Impeachments.

In the Lords Houſe, ſo ſoon as the Articles againſt the Earl of *Danby* were exhibited, he himſelf deſir'd copies of all papers and proceedings; nevertheleſs it was then reſolv'd, that at that time he ſhould not withdraw. Thereupon the ſaid Earl, toward the latter end of the month, having ſtill his liberty, mov'd again in the Lords

Houſe,

Houſe, that he might have a copy of his charge, and that he might not long lye under it. Upon which a Motion follow'd, that the Houſe would conſider of the deſire of the Houſe of Commons, touching his confinement. Thereupon it was the next day reſolv'd, that he ſhould not be confin'd as then: and that he ſhould have a copy of the Articles, to which he was appointed to bring in his anſwer before the third of *January*.

And as to the Lords concern'd in the Conſpiracy, it was referr'd to the Lords of the Committee for priviledges, to conſider the ſtate of the Impeachments, and of all the incidents thereunto relating, and to make their report; which is the ſum of what was done in reference to theſe matters, till the ſitting of the new Parliament, of which more in due place.

As yet the ſtreſs of the diſcovery lay upon Dr. *Oates*, and Mr. *Bedlow*, but this month came in the ſubſtantial aſſiſtance of Mr. *Dugdale*, who upon the twenty fourth of this month ſubmitted himſelf to the examination of Mr. *Lane*, and Mr. *Vernon*, two of his Majeſties Juſtices of the Peace for the County of *Stafford*.

Nor is it to be omitted that among the reſt of the Diſcoveries about this time made, *Lower Comes* in *Herefordſhire* was detected to be a Colledge of Jeſuites; and was let them at a low rent by one *Hutton* of St. *Giles*'s, Merchant, for one and twenty years, which leaſe was witneſs'd by *William Ireland*, *Fenwick* and *Groves*.

The Houſe was contriv'd for the purpoſe, with lodging Chambers and Studies, and ſeated with all the privacy imaginable, at the bottom of a

rocky and woody Hill. There were found in the houſe ſeveral Popiſh Books, a Box of white Wafers ſtamp'd, ſeveral Popiſh Pictures and Crucifixes, ſome Reliques, a little Saints-bell, and an Incenſe-pot. Soon after one Father *Lewis* was taken near the ſame place and ſent to *Monmouth* Jail. He had couzen'd a poor maid of all the Money ſhe had in the world, to the value of 30 *l.* and made her give him a bond and confeſs a judgement to him for payment of the ſaid money upon a pretence of praying her Fathers Soul out of Purgatory.

January 1678. Toward the beginning of this month the Earls of *Salisbury* and *Clarendon* were ſworn of his Majeſties Privy Council. Neither do we find the beginning of it ſignaliz'd with any tranſaction of remark, till the Execution of *Ireland* and *Grove*, for *Pickering* had a further reprieve till *May*, 1679. The other two were both hang'd, drawn, and quarter'd, according to the Sentence pronounc'd againſt them, upon the 24*th*. of this Month.

The laſt words of *Ireland* were mainly taken notice of, and there were ſome whoſe Charity was almoſt deluded to believe him, hearing thoſe imprecations of Damnation which he made to impoſe upon the world that he was not in Town all *Auguſt*, and conſequently that the witneſſes had ſworn falſly againſt him. Yet after all theſe ſolemn Imprecations to advance his own and depreſs the credit of the Kings witneſſes; as if his Salvation depended upon his giving a meritorious ſparring blow to the Kings Evidence at his departure, after all theſe Imprecations I ſay,

that

that he was abſent in *Staffordſhire* from the fifth of *Auguſt* till the fourteenth of *September*, in comes one Mr. *Jeniſon*, a perſon of worth, and credit, and poſitively depoſes upon oath that he ſaw Mr. *Ireland* at his Chamber at the *Hart* in *Ruſſel ſtreet* upon the nineteenth day of *Auguſt*, being then newly return'd from *Windſor*. He further depos'd, that after a ſhort ſalute, Mr. *Ireland* ask'd him what news at *Windſor*, and how the King ſpent his time? To which when Mr. *Jeniſon* anſwer'd, that the King ſpent his time in Hawking and Fiſhing, & went very thinly and meanly guarded, the Old Prieſt reply'd, that then it would be an eaſie thing to take him off. A circumſtance ſo remarkable, and conſequently ſo convincingly apparent, that many doubters were very well ſatisfy'd to ſee it, finding the credit of the traduc'd witneſſes ſo well ſupported, and ſuch a ſlur put upon all the vows and proteſtations of a ſufferer ſo deſperately engaging heaven in the defence of his untruths.

Much about this time his Majeſties Forces that had been recall'd out of *Flanders*, began to return again into *England*. But that which was the nine days wonder of the whole Nation was the diſſolution of the ſecond long Parliament, which had been continu'd by Prorogations and Adjournments from the eighth day of *May*, in the 13*th*. year of his Majeſties reign, and was laſtly prorogu'd till the fourth of *February*, in the twenty fourth year of his Majeſties Government, with an intention to have met again.

By this Proclamation his Majeſty did publiſh and declare his Royal will and pleaſure to diſſolve the

the preſent Parliament, and that he did diſſolve the ſame accordingly. However to the intent his Majeſties Loyal Subjects might perceive his confidence in their good affections, and how deſirous his Majeſty was to meet his people, and have their advice by their repreſentatives in Parliament, His Majeſty was alſo pleas'd to declare, that he would forthwith iſſue out his Writs for calling a new Parliament, to be holden at *Weſtminſter* on *Thurſday* the ſixth of *March*, $167\frac{8}{9}$. And thus if it might be thought to be a wound, he that gave it, at the ſame time heal'd it; and ſtopp'd as well the Inſinuations as the Clamours of diſaffected male-contents.

Toward the latter end of this month the middle Temple happen'd to be fir'd, though whether on purpoſe or by accident is yet undetermin'd: this is certain, that had it gone on, it had deſtroy'd one of the moſt ſtately Piles of Law in the whole world.

February, 1678. *January* having thus made its *Exit*, *February* ſucceeds, remarkable in the firſt place, for the change of the Secretaries of State. For Sir *Joſeph Williamſon* having reſigned the Seals of the Secretaryſhip into his Majeſties hands, the right honourable *Robert* Earl of *Sunderland*, was ſworn into his room.

Not long after ſeveral Queries were preſented to his Majeſty in Council by the Juſtices of the Peace for the County of *Middleſex*, in order to their proceeding as to Papiſts, and Popiſh Recuſants.

1. Whether Foreigners, Popiſh Recuſants, that are and have long been ſettl'd Houſe-Keepers, following employments for their own advantage, as Chirurgions, Taylors, Perriwig-makers,

kers, &c. but not otherwiſe Merchants, though certifi'd to be Merchant ſtrangers, ſhall be excus'd from taking the Oaths, or giving ſureties?

2. Whether ſuch Foreigners being certifi'd by Embaſſadours, or other foreign Miniſters to be their Servants, ſhould be excus'd?

3. Whether Foreigners, Popiſh Recuſants, ſettl'd as Houſe-keepers, but neither Tradeſmen, Travellers, or Foreign Miniſters Servants, ſhall be excus'd?

4. Whether Native ſubjects of our Soveraign Lord the King, that are Menial ſervants of Foraign Miniſters, ſhall be excus'd?

5. Whether married women, being Popiſh Recuſants, but their Husbands Proteſtants, ſhall be excus'd?

6. Whether Popiſh Recuſants that have taken the Oaths, found Sureties, have appear'd, and are convict, ſhall find Sureties, or be continu'd over?

Theſe Queries were by his Majeſty referr'd to the Judges, who return'd an anſwer in writing that they had met and conſider'd of the Queſtions propos'd, and gave it for their Opinions:

1. That Foreigners, being Popiſh Recuſants, and exerciſing ordinary Trades, but not Merchants, were not excus'd from taking the Oaths, or finding Security.

2. That Foreigners, though certifi'd by Embaſſadors to be their ſervants, except they were their menial ſervants, were not excuſable.

3. That Foreigners, though ſettl'd Houſe-keepers, being no Travellers, or Foreign Miniſters ſervants, were not to be excus'd.

4. That

4. That the Kings native Subjects were not excus'd from taking the Oath, by being menial ſervants to Foreign Miniſters.

5. That they found no Law to excuſe a *Feme covert*, being a Papiſt, from taking the Oaths, though her Husband were a Proteſtant.

6. That a Popiſh Recuſant, having taken the Oaths, was not bound to find new Sureties, unleſs, upon a new tender of the Oaths, he ſhould refuſe to take them.

This report and opinion of the Judges his Majeſty was graciouſly pleas'd to approve, and thereupon an Order was made, That the Juſtices of the Peace in their ſeveral precincts, ſhould in the execution of their duties, touching theſe particulars, take notice of the Judges opinions, and conform themſelves thereto.

And whereas his Majeſty had receiv'd a complaint in Council, that ſeveral Juſtices of the Peace in ſeveral Counties, Cities and Liberties, notwithſtanding the many Proclamations iſſu'd forth for the ſecurity of his Majeſties perſon againſt the Plots of the Papiſts, did refuſe and neglect to put the ſame in execution; It was therefore about this time order'd in Council, That all his Majeſties ſaid Juſtices of the peace ſhould with all care and diligence purſue his Majeſties commands in the execution of the premiſes; with further directions alſo to the Lord Chancellor, forthwith to put out of Commiſſion all ſuch as ſhould refuſe or neglect their duty, as perſons diſaffected to his Majeſties Government, and the Proteſtant Religion.

Yet notwithſtanding all this publick diligence, the Papiſts were ſtill in the very face of countermanding Authority, no leſs active to undermine the very Plot it ſelf, and utterly to extirpate the very proofs and evidence of the diſcovery.

For one *James Nettervile*, formerly a Clerk in the *Court of Claims* in *Dublin*, being at this time a priſoner in the *Marſhalſea*, ſent for an acquaintance of his, one Captain *John Bury*, an Iriſh Gentleman, and there communicated to him a great deſign of the Papiſts, to turn the Plot another way, that is to ſay, to turn the Plot upon the Proteſtants for the deſtruction of the Papiſts. To effect this, the ſaid *Nettervile* propos'd to the Captain, that he would ſwear to ſuch and ſuch heads as ſhould be drawn up for him, to diſcredit and invalidate the teſtimony of Dr. *Oates*, in reference to the Plot, and that for his reward he ſhould have 500 *l.* to be depoſited in a third hand by one *Ruſſel*, for better ſecurity, to be paid him immediately upon his doing the buſineſs. This deſign was manag'd by the ſame *Ruſſel*, a rank Papiſt, and an Iriſh man. But it ſeems they made their addreſſes wrong; For ſuch was the fidelity and loyalty of the Captain to his Prince, that he made a timely diſcovery of the contrivance, and ſo ſpoyl'd the Market of thoſe Traders in Subornation.

What this piece of ſubtilty meant, may be eaſily conjectur'd; but this was more obſervable, that a little before this diſcovery, ſeveral perſons by theſe very people appointed, were at the houſes of certain eminent Presbyterians in *London*, to

pray

pray their charitable Contributions toward the maintenance of Mr. *Oates* and Mr. *Bedlow*, falſly pretending that the Kings allowance was not ſufficient for their ſupport. But the parties to whom they made their application, ſmelling the cheat, ſlighted their charitable diligence, and ſent them away empty. And indeed who knows what uſe they might have made of it, had thoſe perſons encourag'd their deſign?

In the mean time, that is to ſay, upon the fifth of this month, *Robert Green*, *Henry Berry*, and *Lawrence Hill*, were brought to their Tryals at the Kings Bench Bar, for the Murther of Sir *Edmundbury Godfrey*.

The names of the Jury were,

Sir *William Roberts*,	*John Bathurſt*,
Sir *Richard Fiſher*,	*Richard Gowre*,
Sir *Michael Heneage*,	*Thomas Henſloe*,
Sir *Thomas Bridges*,	*John Sharp*,
William Avery,	*John Haynes*,
Charles Umphrevile,	*Walter Moyle*, Eſquires.

The general Indictment was for the murther of Sir *Edmundbury Godfrey*, one of his Majeſties Juſtices of the Peace for the County of *Middleſex*, the manner of which Murther has been already related, as alſo the reaſons for which they did it.

The ſtreſs of the Evidence lay upon Mr. *Praunce*, who ſwore in general, that he met the Murtherers, in reference to the carrying on their work, ſeveral times at the *Plough Ale-houſe* near *Somerſet-houſe*; that *Girald* and *Kelley* ſeduc'd him

and

and inveigled him into the Conſpiracy. That *Hill*, *Girald* and *Green* dogg'd him all *Saturday* from his firſt going out. That at night they lodg'd him in a houſe in St. *Clements*. That at his coming out from thence, *Hill* ran before and gave the reſt notice; and then went and ſtay'd for his coming by. That it was *Hill* that perſwaded him to follow him into the yard, under pretence of a quarrel. That it was *Green* who threw the twiſted Handkerchief about his neck; and that then *Hill*, *Girald* and *Kelley* came in to *Green*'s aſſiſtance, pull'd the Gentleman down, and help'd to throttle him, while *Berry* and *Praunce* watch'd the avenues into the yard. And that *Green* afterwards for the more ſure diſpatch, wrung his neck round.

That after the Murther was done, all the ſix actors carried the body into *Hills* Lodgings. That when the body was to be remov'd from *Somerſet-houſe*, which was on the *Wedſneſday* night following, *Praunce* and *Girald* were the firſt that carry'd the Sedan, and were reliev'd by *Green* and *Kelley*. That at *Soho*, *Hill* met them with the horſe; that there they all mounted the dead body, by forcing the leggs open, upon the ſaid horſe; that *Hill* rode behind, and that *Green*, *Kelley* and *Girald* walk'd by, till they came to the place where the body was thrown.

It was farther ſworn by Mr. *Praunce*, that after all this, *Girald* met ſeveral perſons at *Bow*, namely, *Luſon*, *Vernatti*, *Dethick*, and one more, and there rejoyc'd together for the cleverneſs of the Murther committed, and the good fortune they had had for the diſpoſal of the Body.

Mr.

Mr. *Bedlow* ſwore, That after the ſaid Sir *Edmundbury Godfrey* was murther'd, he met one *Le Faire* a Prieſt, in the Cloyſters of *Somerſet-houſe* by appointment, and that the ſaid *Le Faire* carry'd him into a Room, where were ſeveral perſons looking upon the body, by the help of a Candle and Lanthorn, and that at that time, he alſo among the reſt ſaw Sir *Edmundbury Godfrey* lye dead, and that he knew him as he lay.

This Evidence was alſo fortifi'd by ſeveral other circumſtances. By the Conſtable who found the body in the ſame poſture they themſelves reported they had left it. By the maſter of the Plough and his ſervant, who confirm'd the ſeveral meetings of the Murtherers at the ſame houſe. And by Sir *Edmundbury*'s maid, who ſware to the enquiries made for her Maſter at his houſe by *Green* and *Hill*.

In anſwer to theſe facts, thus made out, *Hill* defended himſelf, by affirming that Mr. *Praunce* had perjur'd himſelf, by denying or recanting what he had ſworn before the King; but that was over-ruled by the Court, for that Mr. *Praunce*'s firſt Impeachment of the Conſpirators was done upon oath, and his recantation but only a bare denyal.

Green brought his witneſſes to prove that he was conſtantly at home by nine of the clock at night, and never ſtirr'd after that out of the houſe, and that ſuch a thing could not be done in the houſe but they muſt know of it: but becauſe they did not exactly make out what they averr'd, there was no credit given them.

The

The moſt conſiderable teſtimony was that which *Berry* produc'd, which was that of the Sentinels who kept the Guard; one of which ſtanding at the Gate from ten to one at night, averr'd that he ſaw no Sedan let forth. But in regard the Sentinels could not be ſo poſitive but that they might be miſtaken by reaſon of the darkneſs of the night, and privacy of the conveighance, their Evidence was not thought ſubſtantial.

It was further urg'd by *Hill*, that Mr. *Praunce* had been tortur'd to make him confeſs what he did. But Mr. *Praunce*, upon his oath, utterly deny'd any ſuch thing, affirming that the Keeper had us'd him with all civility, from his firſt commitment. So that the evidence for the Priſoners, being ſo far from overpowring the teſtimony for the King, that it was in no meaſure able to ballance it, the Jury ſoon found them all guilty; upon which they ſeverally receiv'd ſentence to be hang'd. The execution of which ſentence follow'd upon the twenty firſt enſuing.

March. $167\frac{8}{9}$. But now the time of the new Parliaments ſitting drawing near; toward the beginning of this month, his Majeſty, that he might remove all fears and jealouſies out of the minds of his ſubjects, thought meet to command his Royal Highneſs to abſent himſelf for a time.

Who thereupon in obedience to his Majeſties pleaſure, together with his Dutcheſs, took leave of his Majeſty upon the third of *March*, and after a ſhort viſit to his Daughter, the Princeſs of *Orange* in *Holland*, retired to *Bruxells* in *Flanders*.

He was no ſooner departed, but the Parliament, which had been ſo lately ſummon'd before, met according to the time appointed at *Weſtminſter*. So ſoon as they were ready, the King went in his Barge to *Weſtminſter*, and there in a Gracious Speech, upon which the Chancellour afterwards enlarg'd, His Majeſty acquainted both Houſes what he himſelf expected, and what the Countrey ſtood in need of, from their Unanimous and Prudent Conſultations.

The Speeches being ended, the Commons return to their Houſe, and chooſe again the Speaker of the laſt Parliament, Mr. *Edward Seymour*.

This choice occaſion'd their Prorogation from the twelfth to the fifteenth of the ſame month, at what time, being met, again they choſe *Sergeant Gregory*, and caus'd him to take the Chair.

Before they fell upon buſineſs, the members were all ſeverally ſworn and took the Teſt, and being ſo cemented together, they fell firſt upon the further proſecution of the Plot, already diſcover'd to the Parliament, not long before diſſolv'd.

In reference to which affair, Dr. *Tong*, Dr. *Oates*, and Mr. *Bedlow* were ſummon'd to attend them, and to give their Informations. Upon their appearing Dr. *Tong* gave a long Narraton, which becauſe it was tedious, they further deſir'd in writing. Dr. *Oates* read his own depoſitions, and when he had done, made a complaint of ſome diſcouragements which he had receiv'd from ſome of the Members. The complaint fell more ſeverely upon one of them, who having ſpoken ſome words

words in contempt of the Truth of the Plot, was ſent to the *Tower* and expell'd the Houſe, but ſoon after upon his modeſt Petition diſcharg'd from his impriſonment.

But whatever particular perſons thought of the Plot, the Houſe of Commons were ſo well ſatisfy'd, that they appointed a Committee of Secreſie to take Informations, prepare Evidences; and draw up Articles againſt the Lords, ſuſpected to be therein concern'd.

By way of further proſecution alſo, it was reſolv'd, that an humble addreſs ſhould be made to his Majeſty, that all the papers and writings relating to the diſcovery of the Plot, and particularly ſuch papers and writings which had been taken ſince the prorogation of the laſt Parliament, might be deliver'd to the Committee of Secreſie appointed to draw up Articles againſt the ſaid Lords. To which his Majeſty was pleas'd to return for Anſwer, that thoſe papers and examinations were deliver'd to the Committee of the Lords, from whence they ſhould be ſent to their Committee ſo ſoon as the Lords had done peruſing them.

In the midſt of theſe tranſactions, they forgot not the Earl of *Danby*. For upon the twentieth of this month, they ſent to the Lords to put them in mind of the Impeachment of High Treaſon exhibited againſt him, in the name of the Commons, and to deſire that he might be forthwith committed to ſafe cuſtody.

In anſwer to which, at a Conference of both Houſes, the Duke of *Monmouth*, acquainted them in the behalf of the Lords, That their Lordſhips

having taken into consideration matters relating to the Earl of *Danby*, together with what his Majesty was pleas'd to say upon that Subject, had order'd that a Bill should be brought in, by which the said Earl should be made for ever incapable of coming into his Majesties presence; and of all Offices and Employments; and of receiving any gifts or grants from the Crown, and of sitting in the House of Peers.

In the mean time the Commons having appointed a Committee, to enquire into the manner of the suing forth the said Pardon, made their report, that they could not find the entry of any such Pardon in either of the Secretaries Offices, nor in the Offices of the Signet or Privy Seal, but that they found it to be a Pardon by Creation.

Thereupon the Commons send another Message to the Lords to demand Justice, in the name of the Commons of *England*, against the said Earl, and that he might be immediately sequester'd from Parliament, and committed to safe custody.

To which the Lords return'd, that they had order'd, before the coming of their last message, the Gentleman Usher of the Black Rod forthwith to take the said Earl into custody.

Soon after the Lords sent another Message to acquaint the Commons, that they had sent both to *Wimbleton*, and to his house in Town, to apprehend the said Earl, but that the Gentleman Usher of the Black Rod could not find him.

April. 1679. Thereupon the Commons order'd a Bill to be brought in, to ſummon the ſaid Earl to render himſelf to Juſtice by a day to be therein limited, or in default thereof to attaint him. Which Bill, having paſs'd the Houſe, was ſent up to the Lords for their concurrence.

In the mean time the Lords had prepar'd a milder act of their own for the baniſhing and diſabling the Earl of *Danby*; which being rejected by the Commons, the Lords deſir'd a conference, at which they deliver'd back the Bill of attainder, chooſing ſo to do by conference, rather than by meſſage, to preſerve a good underſtanding, and to prevent Controverſie between the two Houſes. And to ſhew the reaſon why they inſiſted upon their own amendments of the Bill for attainder, it was urg'd, that in regard the King had always in his reign been inclin'd to mercy and clemency to all his ſubjects, the firſt interruption of his clemency ought not to proceed from his two houſes.

This being reported, an humble addreſs to his Majeſty was preſently reſolv'd upon, to iſſue out his Royal Proclamation for the apprehending the Earl of *Danby*, with the uſual penalties upon thoſe that ſhould conceal him, and that his Majeſty would be alſo pleas'd further to give order to the Officers of his Houſhold, that they ſhould take care that the ſaid Earl ſhould not be permitted to reſide within any of his Majeſties Palaces of *White-hall*, *Somerſet-houſe* or St. *James*'s.

While this addreſs was preparing, the Commons conſider'd of the amendments made by the

Lords to the Bill of attainder; to ſome of which they agreed, but to others they refus'd to give their conſent, finding a bill of attainder converted into a Bill of baniſhment. For it was alledg'd in point of reaſon, that Baniſhment was not the Legal Judgement in caſe of High Treaſon. And that not being ſo, the Earl might make uſe of the Remiſſion of his Sentence as an Argument, that either the Commons were diſtruſtful of their Proofs, or elſe that the crimes were not in themſelves of ſo high a nature as Treaſon. Beſides, that the example of this would be an encouragement to all perſons that ſhould be hereafter impeach'd by the Commons, to withdraw themſelves from Juſtice, hoping thereby to obtain a more favourable ſentence in a Legiſlative way, than the Lords would be oblig'd to paſs upon them in their judicial capacity.

The ſame day in the afternoon, which was the 3*th*. of the preſent month, both Houſes had another conference upon the ſame Bill, which the Lords aſſur'd the Commons they had deſir'd not ſo much to argue and diſpute, as to mitigate and reconcile, having obſerv'd that the debates of this Bill, had already given too great obſtructions to publick buſineſs. To this end the Lords propounded, That if there might be a way found to ſatisfie and ſecure the publick fears, by doing leſs than what was propos'd in the Bill, they did not think it adviſable to inſiſt upon the moſt rigorous ſatisfaction that publick Juſtice could demand.

To induce them to this complyance, the Lords acknowled[illegible]'d, that Baniſhment was ſo far from

being

being the Legal Judgement, in caſe of High Treaſon, that it was not the Legal Judgement in any caſe whatſoever; as not being ever to be inflicted, but by the Legiſlative Authority. However they ſaw no reaſon, why the Legiſlative Authority ſhould always be bound to act to the utmoſt extent of its power, in regard there might be a prudential neceſſity ſometimes of making abatements, and might prove of fatal conſequence, ſhould it not be ſo.

Therefore the Lords, to remove all jealouſies of Preſidents of this kind, did declare that nothing done in the Earl of *Danby*'s caſe ſhould be drawn into conſequence for the time to come, and that they would ſo enter it upon their journal Book.

Nevertheleſs the Commons would not agree, but ſent to the Lords for a free Conference, upon the ſubject matter of the laſt. Which being had, and the members that manag'd the ſame, being order'd to draw up the ſubſtance of the matters which were fit to be enter'd, that paſs'd at the ſaid free Conference; the Lords deſir'd, the ſame day, a preſent free Conference upon the ſubject matter of the laſt free Conference.

In this Conference the Lord Privy Seal that manag'd it, declar'd that the Reaſons of the Commons for paſſing the Bill as they propos'd, were unanſwerable, and that therefore the Lords were content to make the Bill abſolute, without giving the Earl of *Danby* any day to appear, and the penalties to continue.

Further it was by him obſerv'd, that the Lord impeach'd, would not only be ruin'd by the paſſing of this Bill, together with his family, but thoſe acquiſitions alſo, which he got by marriage into a Noble Family, would be all loſt.

Neither did he forget to intimate, That if the Houſe of Commons would have any other Penalties added to the Bill, the Lords would leave it to them, ſo that they did not run to the abſolute obſtruction of the Lord Impeach'd.

Taking notice withal, that though all the reaſon and juſtice were of the Commons ſide, yet in a Legiſlative Capacity, they were to conſider of Circumſtances in relation to the publick good. And then proceeding, he told the Houſe of Commons, that in the tranſactions of this affair, they had gain'd two great points.

That Impeachments made by the Commons in one Parliament, continu'd from Seſſion to Seſſion, and from Parliament to Parliament, notwithſtanding Prorogations or Diſſolutions.

And Secondly, In caſes of Impeachment, upon ſpecial matter ſhewn, if the modeſty of the party impeach'd did not direct him to withdraw, the Lords did admit that of right they ought to order him to withdraw, and that afterwards he muſt be committed.

Another Obſervation was made by his Lordſhip, that a Member of the Houſe of Commons made mention of the Earl of *Clarendons* caſe, but in regard that caſe was general, and no ſpecial matter ſhown, it was not like this. So that he did not underſtand that the Lords intended to

extend

extend the point of *Withdrawing* and *Commitment* to General Impeachments without ſpecial matter alledg'd. For that if it ſhould be otherwiſe, many of the Lords might be pick'd out of their Houſe of a ſudden.

To this the Earl of *Shaftsbury* reply'd, that they were as willing to be rid of the Earl of *Danby* as the Commons; and firſt, as to the right of the Commons, the Lords did agree that it was their right, and well warranted by Preſidents of former ages. And as to the diſtinction made, where the Impeachments were General, and ſpecial matter alledg'd, there was no order given to make any ſuch diſtinction, for that General Impeachments were not in the caſe. The ſame was affirm'd by the Duke of *Monmouth*, and the Lord *Falconbridge*, and that the Earl of *Shaftsbury* was in the right, and deliver'd the true ſenſe of the Lords. And as to that expreſſion, That the Lords would not draw into example the proceedings of the Earl of *Danby*, but would vacate them, the Lords intended that only to the points of *not-withdrawing* and *not-committing*.

The ſaid Earl likewiſe inſiſted that the way then propos'd, would be a means to have the Bill paſs, for that the Commons might have other penalties, if they pleas'd, as Confiſcation of Eſtate. And notwithſtanding they had no particular order to mention Honours, yet by the general words he thought them included: So that if they were inſiſted on by the Commons, he knew not but that they might be agreed to be inſerted in the Bill.

There-

Therefore the Commons were desir'd to consider, that there were more weighty reasons, better understood than expres's'd, that prov'd it necessary for the good of the publick, that the Bill should pas.

The Commons made this reply, that they hop'd the Lords did not think they took it as if they had then gain'd any point; for that the points mention'd by the Lords as gain'd, were nothing but what was agreeable to the ancient methods of Parliaments.

After this a free Conference being desir'd upon the subject matter of the last free Conference, the Bill was left with the amendments in the Lords hands.

Whereupon the Lords desiring another free Conference upon the subject matter of the last, the Lords declar'd, that they hop'd that would be the concluding Conference, having agreed to the Bill without further amendments, and therefore desir'd the concurrence of the Commons.

Thus at length the Commons agreed to the amendments made by the Lords, and sent a message to acquaint the Lords therewith. This was done upon the fourteenth day of this month. But upon the sixteenth a Message was sent by the Lords to acquaint the Commons, that the night before, the Earl of *Danby* had render'd himself to the Gentleman Usher of the Black Rod, and that being call'd to the Bar, they had sent him to the Tower.

Thereupon a Committee was appointed to prepare and draw up further Evidence against him,

him, and ſuch further Articles as they ſhould ſee cauſe.

Soon after his Majeſty was pleas'd to diſſolve his Privy Council, and to make another, conſiſting of no more than thirty perſons. And for the management of the Treaſury, and Navy, five Commiſſiones were appointed for the Treaſury, and ſeven for the Admiralty.

Then the Commons took into conſideration the disbanding of the Army; and having voted a ſupply of 264602 *l.* 17 *s.* 3 *d.* to that intent, they then voted, that Sr. *Gilbert Gerrard*, Sr. *Thomas Player*, Coll. *Birch*, and Coll. *Whitley*, ſhould be Commiſſioners to pay the disbanded Forces off.

But now to return to the Earl of *Danby*: upon the 25*th.* of this month, a meſſage was ſent by the Lords to acquaint the Commons, that the ſaid Earl had that ſame day perſonally appear'd at the Bar of their Houſe, and had put in his plea to the Articles of Impeachment againſt him. The Articles were theſe, as they were deliver'd into the Houſe of Lords in the name of the Commons of *England*, by Sir *Henry Capel*, *December* 23. 1678.

I.

That he had traiterouſly encroacht to himſelf Regal Power, by treating in matters of Peace and War with Foreign Miniſters and Embaſſadors, and giving inſtructions to his Majeſties Embaſſadors abroad, without communicating the ſame to the Secretaries of State, and the reſt of his Majeſties Council; againſt the expreſs Declaration

tion of his Majeſty in Parliament, thereby intending to defeat and overthrow the proviſion that has been deliberately made by his Majeſty and his Parliament, for the ſafety and preſervation of his Majeſties Kingdoms and Dominions.

II.

That he had traiterouſly endeavour'd to ſubvert the ancient and well-eſtabliſh'd form of Government of this Kingdom, and inſtead thereof to introduce an Arbitrary and Tyrannical form of Government; and the better to effect this his purpoſe, he did deſign the raiſing of an Army, upon pretence of a war againſt the French King, and to continue the ſame as a ſtanding Army within this Kingdom: and an Army ſo rais'd, and no war enſuing, an Act of Parliament having paſt to disband the ſame, and a great ſum of money being granted for that end, he did continue the ſame, contrary to the ſaid Act, and miſ-imploy'd the ſaid money given for the disbanding to the continuance thereof, and iſſued out of his Majeſties Revenues great ſums of money for the ſaid purpoſe, and wilfully neglected to take ſecurity of the Pay-maſter of the Army, as the ſaid Act required, whereby the ſaid Law is eluded, and the Army yet continued, to the great danger and unneceſſary charge of his Majeſty and the whole Kingdome.

III. That

III.

That he, trayterouſly intending and deſigning to alienate the hearts and affections of his Majeſties good Subjects from his Royal Perſon and Government, and to hinder the meeting of Parliaments, and to deprive his Sacred Majeſty of their ſafe and wholſom counſel, and thereby to alter the conſtitution of the Government of this Kingdom, did propoſe and negotiate a peace for the French King, upon terms diſadvantagious to the Intereſt of his Majeſty and Kingdom. For the doing whereof he did procure a great ſum of money from the French King, for enabling him to maintain and carry on his ſaid traiterous deſigns and purpoſes, to the hazard of his Majeſties Perſon and Government.

IV.

That he is Popiſhly affected, and hath traiterouſly concealed, after he had notice, the late horrid and bloody Plot and Conſpiracy contriv'd by the Papiſts againſt his Majeſties Perſon and Government, and hath ſuppreſs'd the Evidence, and reproachfully diſcountenanc'd the Kings Witneſſes in the Diſcovery of it, in favour of Popery, immediately tending to the deſtruction of the Kings Sacred Perſon, and the ſubverſion of the Proteſtant Religion.

V.

That he hath waſted the Kings Treaſure, by iſſuing out of his Majeſties Exchequer, ſeveral branches of his Revenue, for unneceſſary Penſions and ſecret ſervices, to the value of within two years, and that he hath wholly diverted out of the known method and Government of the Exchequer one whole branch of his Majeſties Revenue to private Uſes, without any accompt to be made of it to his Majeſty in his Exchequer, contrary to an expreſs Act of Parliament which granted the ſame. And he hath removed two of his Majeſties Commiſſioners of that part of the Revenue for refuſing to conſent to ſuch his unwarrantable actings therein, and to advance money upon that branch of the Revenue for private uſes.

VI.

That he hath by indirect means procured from his Majeſty to himſelf divers conſiderable gifts and Grants of Inheritances of the ancient Revenues of the Crown, contrary to Acts of Parliament.

For which matters and things the Knights, Citizens and Burgeſſes of the Commons in Parliament, do in the name of themſelves, and of all the Commons of *England*, impeach the ſaid *Thomas* Earl of *Danby*, Lord High Treaſurer of *England*, of High Treaſon, and other high Crimes,

Miſ-

Miſdemeanors and Offences, in the ſaid Articles contained. And the ſaid Commons, by Proteſtation ſaving to themſelves the liberty of exhibiting at any time hereafter any other accuſation or Impeachment againſt the ſaid Earl, and alſo of replying to the anſwers of which the ſaid *Thomas* Earl of *Danby* ſhall make to the Premiſes, or any of them, or any Impeachment or Accuſation which ſhall be by them exhibited, as the cauſe according to proceedings of Parliament ſhall require, Do pray that the ſaid *Thomas* Earl of *Danby* may be put to anſwer all and every the Premiſes, that ſuch proceedings, Tryals, Examinations and Judgements, may be upon them, and every one of them had and uſed, as ſhall be agreeable to Law and Juſtice, and that he may be ſequeſter'd from Parliament, and forthwith committed to cuſtody.

To theſe Articles the Earl of *Danby* ſoon after put in his Plea, as follows.

The

The Plea of the Earl of Danby, *late Lord high Treaſurer of* England, *to the Articles of Impeachment, and other High Crimes, Miſdemeanors and Offences, Exhibited againſt him by the name of* Thomas *Earl of* Danby, *Lord High Treaſurer of* England.

THE ſaid Earl for Plea ſaith, and humbly offers to your Lordſhips, as to all and every the Treaſons, Crimes, Miſdemeanors and Offences contained or mention'd in the ſaid Articles, That after the ſaid Articles exhibited, namely the firſt of *March* now laſt paſt, the Kings moſt excellent Majeſty, by his moſt gracious Letters of Pardon under his great Seal of *England*, bearing date at *Weſtminſter* the ſaid firſt day of *March*, in the one and thirtieth year of his Majeſties reign, and here into this moſt High and Honourable Court produc'd under the ſaid great Seal, of his ſpecial Grace, certain Knowledge, and meer Motion, hath pardon'd, remiſed, & releaſed to him the ſaid Earl of *Danby* all and all manner of Treaſons, Miſpriſions of Treaſons, Confederacies, Inſurrections, Rebellions, Felonies, Exactions, Oppreſſions, publications of words, Miſpriſions, Confederacies, Concealments, Negligences, Omiſſions, Offences, Crimes, Contempts, Miſdemeanors and Treſpaſſes whatſoever, by himſelf done, or with any other perſon or perſons: or by other,

any other, by the command, advice, assent, consent or procurement of him the said *Thomas* E. of *Danby*, advis'd, committed, attempted, made, perpetrated, conceal'd, committed, or omitted before the 27*th*. day of *Feb*. then and now last past, being also after the time of the said Articles exhibited, although the said Premises, or any of them, did or should touch or concern the person of his said Majesty, or any of his publick Negotiations whatsoever, and also his Majesties affairs with foreign Embassadors sent to his said Majesty; or by not rightly prosecuting his Majesties Instructions and Commands to his Embassadors residing on his Majesties behalf in foreign parts. And as to all and singular accessories to the said premises or any of the indicted, impeached, appealed, accused, convicted, adjudged, out lawed, condemned or attainted, and all and singular Indictments, Impeachments, Inquisitions, Informations, Exigents, Judgements, Attainders, Outlaries, Convictions, pains of Death, Corporal punishments, Imprisonments, Forfeitures, Punishments, and all other pains and penalties whatsoever, for the same or any of them; and all and all manner of suits, Complaints, Impeachments and demands whatsoever. Which his said Majesty by reason of the Premises or any of them then had, or for the future should have, or his heirs or successors any way could have afterwards against him the said *Thomas* Earl of *Danby*. And also suit of his Majesties peace; and whatever to his Majesty, his heirs or successors, against him the said Earl did or could belong by reason or occasion of the Premises, or any of them.

And his Majeſty hath thereby granted his firm Peace to the ſaid *Tho.* E. of *Danby*. And further his Majeſty willed and granted, that the ſaid Letters-Patents, and the ſaid Pardon and Releaſe therein contain'd, as to all the things Pardon'd and Releas'd ſhould be good and effectual in the law, though the Treaſons, Miſpriſions of Treaſons, Inſurrections, Rebellions, Felonies, Exactions, Oppreſſions, Publications of words, Miſpriſions of Confederacies, Concealments, Negligencies, Omiſſions, Offences, Crimes, Contempts, Miſdemeanors and Treſpaſſes, were not certainly ſpecified. And notwithſtanding the Statute by the Parliament of King *Ed.* 3. in the 14*th.* year of his reign, made and provided, or any other Statute, Act or Ordinance to the contrary thereof made and provided. And moreover his ſaid now Majeſty, by his ſaid Letters Patents, of his farther Grace did firmly command all and ſingular Judges, Juſtices, Officers, and others whatſoever, That the ſaid Free and General Pardon of his ſaid Maj. and the general words, clauſes and ſentences aboveſaid ſhould be conſtrued, and expounded, and adjudged in all his Majeſties Courts, and elſewhere in the moſt beneficial, ample, and benign ſenſe.

And for the better, and more firm diſcharge of the ſaid Earl, of and from the crimes and offences aforeſaid, according to the true intents of his Majeſty, and in ſuch beneficial manner and form, to all intents and purpoſes whatſoever, as if the ſaid Treaſons, Crimes, Offences, Concealments, Negligencies, Omiſſions, Contempts, and Treſpaſſes aforeſaid, and other the ſaid Premiſes,

miſes, by apt, expreſs, and ſpecial words had been remitted, releaſed and pardoned; and that the ſaid Letters Patents of Pardon, and the Releaſe and Pardon therein contain'd, ſhall be pleaded and allowed in all and every his Majeſties Courts, and before all his Juſtices whatſoever, without any Writ of allowance, any matter, cauſe or thing whatſoever in any wiſe notwithſtanding, as by the ſaid Letters Patents themſelves more at large appeareth; which ſaid Letters Patents follow in theſe words.

Carolus Dei Gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Rex, Fidei defenſor, &c. Omnibus ad quos præſentes Literæ noſtræ pervenerint, Salutem. Sciatis, quod nos pro diverſis bonis cauſis & conſiderationibus, Nos ad hoc ſpecialiter moventibus, de Gratia Noſtra ſpeciali & mero motu Noſtris Pardonavimus & Relaxavimus, &c.

And the ſaid Earl doth averr, that he the ſaid *Thomas* Earl of *Danby*, in the ſaid Articles named, is the ſaid *Thomas* Earl of *Danby* in the ſaid Letters of Pardon, here produced, likewiſe named.

Which Pardon the ſaid Earl doth rely upon, and pleaded the ſame in Bar of the ſaid Impeachment, and in diſcharge of all the Treaſons, Crimes, Miſdemeanors and Offences contained or mentioned in the ſaid Articles of Impeachment, and every of them: And this the ſaid Earl is ready to averr.

Whereupon he humbly prays the judgement of your Lordſhips, and that his Majeſties moſt Gracious Pardon aforeſaid may be allowed:

And that he the ſaid Earl, by vertue hereof may be from all the ſaid Articles of Impeachment, and all and every of the Treaſons and Crimes therein alledg'd againſt him acquitted and diſcharg'd.

The Earl of *Danby* having thus put in his Plea to the Articles of Impeachment, the Commons referr'd it to the Committee of Secreſie to examine the matter of the Plea of the Earl of *Danby*, and to enquire how Preſidents ſtood in relation to the Pardon and in what manner and by what means the ſame was obtained. Who thereupon made their Report, That they could find no Preſident that ever any Pardon was granted to any Perſon impeach'd by the Commons of High Treaſon, and depending the Impeachment. So that they preſently order'd that a Meſſage ſhould be ſent to the Lords to deſire their Lordſhips to demand of the Earl of *Danby* whether he would rely upon, and abide by his Plea or not.

In the midſt of theſe diſputes a buſineſs of another Nature intervenes. For one Mr. *Reading* having been accus'd to the Commons for going about to corrupt the Kings Evidence in the behalf of the five Lords in the Tower, they preſently order'd him to be ſecur'd, and made an Addreſs to his Majeſty that he would be pleas'd to iſſue forth a Commiſſion of *Oyer* and *Terminer* for the Tryal of the ſaid Mr. *Reading*, wherein they made the more haſt, to the end his Tryal might be over, before that of the Lords, which it was then thought, was near at hand.

hand. Hereupon the Commiſſion was expedited; and upon the 24*th*. of this Month, the Commiſſioners met at *Weſtminſter-Hall* in the Court of Kings Bench.

The Commiſſioners were the twelve Judges of *England*, Sir *James Butler*, Sir *Philip Matthews*, Sir *Thomas Orby*, Sir *Thomas Byde*, Sir *William Bowles*, Sir *Thomas Stringer*, Sir *Charles Pitfeld*, *Thomas Robinſon*, *Humfrey Wirley*, *Thomas Haryot* and *Richard Gower*, Eſquires.

The Priſoner was endicted by the name of *Nathaniel Reading*, for ſoliciting, ſuborning, and endeavouring to perſwade Mr. *William Bedlow*, to leſſen, ſtifle, and omit to give in evidence the full truth according to his knowledge, againſt the Lord *Powis*, Lord *Stafford*, Lord *Peter* and Sir *Henry Tichborn*, but to give ſuch evidence as he the ſaid *Reading* ſhould direct; as alſo for giving the ſaid Mr. *Bedlow* fifty Guineys in hand, and promiſing him greater rewards, for the ends and purpoſes aforeſaid.

The Jury were,

Sir *John Cutler*,	*Thomas Caſſe*,
Joſhuah Galliard,	*Rainsford Waterhouſe*,
Edward Wilford,	*Matthew Bateman*,
Thomas Henſlow,	*Walter Moyle*,
Thomas Earsby,	*Richard Paget* and
John Searle, Eſquires.	*John Haynes*, Eſquires.

Mr. *Reading* at firſt challeng'd Sir *John Cutler*, as being in the Commiſſion of Peace, and labour'd very much to have his challenge made good.

But his Challenge was over-rul'd by the Court, firſt in regard that Sir *John* was not in the particular Commiſſion then ſitting; and ſecondly, for that he could not challenge him peremptorily, the Indictment not endangering his life, as it might have been laid, but only for a Miſdemeanour. Thereupon the Court proceeded; and

Firſt, in point of Evidence Mr. *Bedlow* ſwore, that he began with him as a friendly adviſer, admoniſhing him to be cautious, and not to run at the whole Herd of Men. That he would make the Parliament his friends by proving the Plot; the King his friend, in not charging all the Lords, and the Lords his friends, by being kind to them. That the perſons he moſt ſollicited for were the Lords *Powis*, *Petre* and *Stafford*, Sir *Henry Tichborn*, Mr. *Roper*, Mr. *Caryl*, and *Corker*, a Jeſuite. That he ſhould have Money and an Eſtate

Eſtate, by the negotiation of the Priſoner at the Bar, to ſhorten the Evidence, and bring them off from the charge of High Treaſon. That he and Mr. *Reading* had ſeveral Conſultations about this matter. That the Priſoner in aſſurance of his reward, told him he had order to draw blank deeds to be ſign'd in ten days after the diſcharge of thoſe for whom the ſollicitation was made. That *Reading* & Mr. *Bedlow* had a private Conſultation, at what time Mr. *Bedlow* was to pen his Teſtimony as Mr. *Reading* ſhould direct him for the mitigation of the Evidence. That when that Paper was finiſh'd, the Priſoner carry'd it to the Lords to conſider of it: and that after they had conſider'd of it, and mended it, as they pleas'd, *Reading* return'd with the emendations written with his own hand; and deliver'd them to Mr. *Bedlow* in the Painted Chamber, who held them ſo behind him, that Mr. *Speake*, as it was agreed, walking after him, came and took them out of his hand. And that two Witneſſes more being privately conceal'd by Mr. *Bedlow* in his own chamber, overheard the main of the Conſultation and overture of Mr. *Reading*.

After this the Paper was produc'd which contain'd the ſhort and tender Evidence that Mr. *Bedlow* was to give, according to the Correction of the Lords, and read in open Court, all under *Readings* own hand.

Which done, Mr. *Speake* was ſworn, and depos'd that being privately conceal'd in Mr. *Bedlow*'s Chamber, he over-heard Mr. *Bedlow*'s and Mr. *Reading*'s Negotiation together. That Mr. *Bedlow* ask'd Mr. *Reading* what the Lords ſaid

to the buſineſs, and what my Lord *Stafford* ſaid to the Eſtate in *Glocesterſhire*. To which Mr. *Reading* made anſwer, that the Lord *Stafford* had faithfully promis'd him to ſettle that Eſtate upon Mr. *Bedlow*, and that he had Orders from that Lord to draw up a blank Deed in order to the ſettlement, which the ſaid Lord had engag'd to ſign and ſeal within ten days after he ſhould be diſcharg'd by Mr. *Bedlow*'s contracting of his Evidence. That Mr. *Reading* added, That the Lords *Powis* and *Peter*, and Sir *Henry Tichborn*, had faithfully engag'd and promis'd to give Mr. *Bedlow* a very fair and noble reward which ſhould be ſuitable to the ſervice he ſhould do them, in bringing them off from the Charge of High Treaſon. To which when Mr. *Bedlow* reply'd, that he would not rely upon their promiſes only, but expected to have ſomething under their hands:

Mr. *Reading* reply'd, That they did not think it convenient ſo to do as yet, but that Mr. *Bedlow* might take his word, as he had done theirs, adding withal for a further confirmation, That he would engage his life for the performance. With much other diſcourſe, all tending to the ſame effect.

The third Evidence which was Mr. *Bedlows* man, and was conceal'd in the Chamber to the ſame intent as the former witneſs was, gave the ſame Evidence upon oath, as to what had been diſcours'd of in the Chamber between his Maſter and the Priſoner, without any thing of material alteration of the words themſelves, which therefore need no repetition.

The

The defence of the Priſoner was very weak, more eſpecially conſidering that he was a man of the Gown. No more indeed than what after a tedious multiplying of words, amounted to the Confeſſion of the whole Charge. For he could not deny but that he did carry the Kings Evidence to the Lords in the Tower; but that it was purely out of Conſcience to prevent the ſhedding of innocent blood. The other part of his Evidence conſiſted in beſpattering the witneſſes, for which he was ſo often corrected by the Court, that it betrayed in him more of preſumption than Law.

Therefore the Jury ſo little believ'd him, that after a very ſhort abſence from the Bar, they brought him in Guilty; upon which the Court proceeded to Sentence, which was, That he ſhould be fin'd a thouſand pound, That he ſhould be impriſon'd for the ſpace of one whole year; and be ſet in the Pillory for the ſpace of one hour in the Palace-yard at *Weſtminſter*.

Thereupon in order to the Judgement of the Court he was ſet in the Pillory on the *Munday* after his Tryal. And as the Court were ſo kind as not to endite him for his life, ſo they were careful to give the Sheriff a particular Charge of his Perſon, leſt the rage of the People underſtanding his Crime, ſhould have depriv'd him of what the mercy of the Law had granted him with ſo much favour.

May 1679. If Doctor *Oates* may be believ'd, whom we have not found yet to fail, he tells us that the Jeſuites had ſent ſeveral Emiſſaries of their own to foment the diſcontents and rebellious fermentations of the people of *Scotland*. The miſchief was laid upon the Presbyterians; whether it were ſo or no God knows; but the effect and conſequence was dire, nothing but Papiſtical murther, which it is to be fear'd will come to be the Character of that Religion. In *England* no leſs a ſacrifice would ſerve them than a King, though Heaven deteſted their oblation. In *Scotland* there was no King, and therefore they reſolv'd to cut off the Primate of the Church.

A ſtrange doctrine to preach, that there could be no greater gift made to Jeſus Chriſt, than to ſend the Arch-biſhop of St. *Andrews* head in a Silver Box to the King. And yet this doctrine prevail'd with one *James Mitchel* to attempt the killing of the ſame Prelate in the chief ſtreet of *Edenburgh*, in the face of the Sun and of all the multitude. Who dying for the fact, and with an obdurate and ſear'd zeal, owning and juſtifying the fact, led others ſo far aſtray into the violation of the Law of Nature, that upon the third of this month, deluded Devotion adventur'd to murther the Arch-biſhop in the enſuing manner.

The

'The Arch-biſhop it ſeems was returning in his Coach from a Village in *Fife*, called *Kennoway*, toward the City of St. *Andrews* it ſelf, and was got within two miles of the place, near to another ſmall village called *Magus*. There it was that the Coachman, having ſpy'd ſeveral Horſemen, gave his Lord notice of them, and ask'd him, whether he ſhould not drive faſter? But the Arch-biſhop, not dreading any harm, thought it not convenient to mend his pace. When they drew near, the Arch-biſhops daughter look'd out, and ſeeing them with Piſtols in their hands, cry'd out to the Coach-man to drive on. And he had certainly out-driven them, had not one *Balfour* of *Kinlock*, being mounted upon a very fleet horſe, cunningly got before the Coach, into which they had already diſcharg'd ſeveral ſhot in vain. This *Balfour*, finding he could not wound the Coachman, becauſe the Coach-mans whip frighted his Horſe, wounded the Poſtillian, and diſabled the fore horſes. Upon which the reſt coming up, one of them ſhot the Arch-biſhop with a Blunderbuſs as he ſate in the Coach, while others reproachfully call'd to him in theſe words, *Come forth, vile Dog, who haſt betray'd Chriſt and his Church, and receive what thou haſt deſerv'd for thy wickedneſs againſt the Kirk of* Scotland. While he was in the Coach one ran him through with a Sword under the ſhoulder, the reſt pulling him violently out of the Coach. His daughter went out, fell upon her knees and beg'd for mercy to her father, but they beat her and trampl'd upon her. The Primate with an extraordinary

traordinary calmneſs of ſpirit, ſaid to 'em, *Gentlemen, I know not that I ever injur'd any of you, and if I did I promiſe ye I will make you what reparation you can propoſe.*

To which they return'd no better Language than this, *Villain and* Judas, *Enemy to God and his people, thou ſhalt now have the reward of thy enmity to Gods people*: which words were follow'd with many mortal wounds, of which one was a deep one above his eye. He labour'd to make them apprehenſive that he was a Miniſter, and pulling off his Cap ſhew'd them his grey hairs; intreating them withal, that if they would not ſpare his life, yet that they would at leaſt allow him ſome little time for prayer.

But their barbarous and inhumane anſwer was, *That God would not hear ſo baſe a Dog as he was*; and as to the deſire of Quarter, they told him, *That the ſtrokes they were then about to give, were thoſe which he was to expect.* Notwithſtanding all which inhumane uſage, and a ſhot that pierc'd his body above his right Pap, and ſeveral blows that cut his hands, while he was holding them up to Heaven in prayer, he rais'd himſelf upon his knees, and utter'd theſe few words, *God forgive you all.* After which, by reaſon of many gaſhes that cut his ſcull in pieces, he fell down dead. At which time ſome of the Murtherers, believing that they heard him groan, return'd, ſaying, he was of the nature of a Cat, and therefore they would go back, and hack him a little better for the Glory of God.

And

And ſo having ſtirr'd about his brains with the points of their Swords, they took an oath of the ſervants not to reveal their names; and then bidding them take up their Prieſt, they rode back to *Magus*, crying out aloud, *That* Judas *was kill'd*; and from thence made their eſcape.

All this while at *London* the Parliament continue their proſecution of the Earl of *Danby*; and in order thereunto the lower Houſe reſolve that the Pardon of the Earl of *Danby* was illegal and void, and not to be allow'd in Bar of the Impeachment of the Commons of *England*. Thereupon the whole Houſe with the Speaker went up to the Lords, to whom the Speaker made this following Addreſs;

My Lords,

The Knights, Citizens and Burgeſſes, in Parliament aſſembled, are come up to demand Judgement in their own names, and in the names of all the Commons of *England*, againſt *Thomas* Earl of *Danby*, who ſtands by them impeach'd before your Lordſhips of High Treaſon, and diverſe high Crimes and Miſdemeanors. To which he has pleaded a Pardon, which Pardon the Commons conceive to be illegal and void, and therefore they do demand Judgement accordingly.

There-

Thereupon the Lords appointed a ſhort day for hearing the Earl what he could ſay to make good the plea of his Pardon.

Nor was his Majeſty himſelf leſs careful of the ſafety of the Nation, who finding or at leaſt fore-ſeeing the ill conſequences of theſe continu'd debates, thereupon ſent a Meſſage to the Commons, wherein he deſir'd them to ſecure the Fleet, to proceed in the diſcovery of the Plot, the Tryal of the Lords in the Tower, and the Bill for ſecuring the Proteſtant Religion.

For all which they appointed a certain day of conſideration, but before they proceeded, they made an Addreſs to his Majeſty againſt the Duke of *Lauderdale*, as a perſon who being in high truſts and employments about his Majeſty, had by his arbitrary and deſtructive Counſels, tending to the ſubverſion the rights, and liberty of of the ſubject, endeavour'd to alienate the hearts of his Majeſties good ſubjects from his Majeſty and Government; and more particularly had contriv'd and endeavour'd to raiſe jealouſies and miſunderſtandings between *England* and *Scotland*. And therefore they moſt humbly beſought his Majeſty to remove him from his Counſels both in *Scotland* and *England*, from all Offices, Imployments, and places of Truſt, and from his Majeſties preſence for ever.

And to ſhew that they did not this out of diſobedience, but affection, preſently after they declar'd in a full houſe, That in defence of his Majeſties perſon, and the Proteſtant Religion,

gion, they would ſtand by his Majeſty with their lives and fortunes; and that if his Majeſty ſhould come to any untimely end, which God forbid, they would revenge it to the utmoſt upon the Papiſts.

And now the Bill for the disbanding of the Army being compleated, and having paſs'd both Houſes, was confirm'd, and receiv'd its laſt conſummation by the Kings Royal Aſſent: So that theCommiſſioners appointed by the houſe for that purpoſe had liberty to attend that particular ſervice.

In the mean time the Commons perceiving that there was a day appointed for the Earl of *Danby* to make good the plea of his Pardon by Council, order'd that no Commoner ſhould preſume to maintain the validity of the Pardon pleaded by the ſaid Earl, without the conſent of the Houſe; and that the perſon ſo doing ſhould be accompted a betrayer of the liberty of the Commons of *England*.

Next day the Earl appear'd; and put in his Petition into the Houſe of Lords, wherein he ſet forth, that he was then attending their Lordſhips according to Order; and expected to have met the Council aſſign'd him by their Lordſhips; but that he had receiv'd a Meſſage from every one of them, that they durſt not appear to argue for him, by reaſon of a Vote which the houſe paſs'd yeſterday.

Who

Who thereupon order'd that the Petition ſhould be communicated to the Houſe at the next Conference, to know of them whether any ſuch Vote were by them made or no.

But here aroſe a new debate concerning the Biſhops, which much entangled the intereſt of the Earl of *Danby*, and the other five Lords in the Tower, in reference to their Tryals; for the Commons would not proſecute the latter before the firſt, nor the firſt before ſuch and ſuch things were concluded. So that it will be neceſſary to relate the proceedings of both Houſes againſt the Lords, which at length happen'd to be the occaſion that neither the one nor the other came to their Tryals, as was expected.

The Houſe having paſs'd five reſolves for the Impeaching *Henry* Lord *Arundell* of *Warder*, *William* Earl of *Powis*, *John* Lord *Bellaſis*, *William* Viſcount *Stafford*, and *William* Lord *Peter*, of Treaſon, and ſeveral other Miſdemeanors, the ſame day five ſeveral Impeachments were accordingly carried up to the Lords, but they did not deſire they ſhould be ſequeſter'd from Parliament, and committed to cuſtody, becauſe they were at the ſame time under reſtraint in the Tower.

The Impeachments were firſt in general, That for many years laſt paſt there had been contriv'd & carried on a trayterous & execrable Conſpiracy and Plot within this Kingdom of *England*, & other places, to alter, change and ſubvert the ancient Government & Laws of this Kingdom & Nation, & to ſuppreſs the true religion therein eſtabliſh'd, & to extirpate & deſtroy the profeſſors thereof; which

which ſaid Plot and Conſpiracie was Contrived and carried on in divers places and by ſeveral ways and means, and by a great number of Perſons of ſeveral Qualities and Degrees who acted therein, and intended to execute and accompliſh the aforeſaid wicked and traiterous deſigns and purpoſes.

That the ſaid five Lords together with *Philip Howard*, commonly called Cardinal of *Norfolk*, and divers others, Jeſuits, Prieſts and Friers, and other Perſons as falſe Traitors to his Majeſty and this Kingdom within the time aforeſaid, had traiterouſly conſulted, contriv'd and acted to and for the accompliſhing of the ſaid wicked, pernicious and traiterous Deſigns; and for that end did moſt wickedly and traiterouſly agree, conſpire and reſolve to impriſon, depoſe and murther his ſacred Majeſty, to deprive him of his Royal State, Crown and Dignity, and by malicious and unadviſed Speaking, Writing, and otherwiſe declared ſuch their purpoſes and intentions,

To ſubject this Kingdom and Nation to the Pope and his Tyrannical Government.

To ſeize and ſhare among themſelves the Eſtates of his Majeſties Proteſtant Subjects.

To erect and reſtore Abbeys, Monaſteries, and other Convents and Societies, which have been long ſince by the Laws of this Kingdom ſuppreſt, for their Superſtition and Idolatry, to deliver up and reſtore to them, the Lands and poſſeſſions now inveſted in his Majeſty, and his Subjects by the Laws and Statutes of this Realm.

That the ſaid Conſpirators, their Accomplices and Confederates, had and held ſeveral Meetings, Aſſemblies and Conſultations, wherein it was con-

triv'd and deſign'd among them, what means ſhould be uſed, and what Perſons and Inſtruments imployed to murder his Majeſty, and did then and there reſolve to effect it by Poyſoning, Shooting, Stobbing, or ſome ſuch like ways and means; offer'd rewards and promiſes of advantage to ſeveral Perſons to execute the ſame, and hir'd and employed ſeveral wicked Perſons to *Windſor* and other places, where his Majeſty did reſide, to deſtroy and murther his Majeſty; which ſaid Perſons accepted ſuch rewards, and undertook the perpetrating thereof, and did actually go to the ſaid places for that end and purpoſe. That the ſaid Conſpirators had procur'd, accepted and deliver'd out ſeveral Inſtruments, Commiſſions and Powers, made and granted by or under the Pope, or other unlawful and uſurping Authority, to raiſe Mony, Men and Arms, and other things neceſſary for their wicked and traiterous Deſigns, namely to the ſaid *Henry* Lord *Arundel* of *Warder* to be Lord High Chancellor of *England*, to the ſaid *William* Lord *Powis* to be Lord Treaſurer of *England*, to the Lord *Bellaſis* to be General, to the Lord *Petre* to be Lieutenant General, to the Lord *Stafford* to be Paymaſter of the Army.

That in order to encourage themſelves in proſecuting their ſaid wicked Plots, Conſpiracies and Treaſons, and to hide and hinder the diſcovery of the ſame, and to ſecure themſelves from Juſtice and Puniſhment, the Conſpirators and Confederates aforeſaid did cauſe their Prieſts to adminiſter an Oath of Secrecy together with the Sacrament, and upon Confeſſions to give them Abſolutions upon condition that they did conceal the Conſpiracy.

That

That the better to compaſs their traiterous Deſigns, they had conſulted to raiſe and had procur'd and rais'd Men, Money, Horſe, Arms and Ammunitions; and had made applications to, and treated and correſponded with the Pope, his Cardinals, Nuncio's and Agents, and with other forreign Miniſters and Perſons, to raiſe tumults within the Kingdom, and invade the ſame with forraign Forces; to ſurprize, ſeize and deſtroy his Majeſties Navy, Forts, Magazines and Places of Strength to the ruine and deſtruction of the Nation.

That when Sir *Edmund-Bury Godfrey*, a Juſtice of Peace, had according to the duty of his Oath and Office, taken ſeveral Examinations, and Informations concerning the ſaid Conſpiracy and Plot, the ſaid Conſpirators or ſome of them, by the advice, councel and inſtigation of the reſt, did incite and procure divers perſons to lye in wait and purſue the ſaid Sir *Edmund Bury* ſeveral days with intent to Murder him, which at laſt was perpetrated and effected by them.

That after the ſaid Murther and before the body was found, or the Murther known to any but the Accomplices, the ſaid Perſons falſly gave out that he was a-live and privately Married; and after the Body was found, diſperſed a falſe and malicious report, that he had Murthered himſelf. Which ſaid Murther was committed with a deſign to ſtifle and ſuppreſs the Evidence he had taken, and had knowledge of, and to diſcourage and deter Magiſtrates and others, from acting in the farther diſcovery of the ſaid Plot and Conſpiracy.

That of their farther malice they had wickedly continued by many falſe ſuggeſtions to lay the guilt and imputation of the aforeſaid Horrid and Deteſtable Crimes upon the Proteſtants, that ſo they might eſcape the puniſhments they had juſtly merited, and expoſe the Proteſtants to great ſcandal, and ſubject them to Perſecution and Oppreſſion in all Kingdoms and Countries where the *Roman* Religion is receiv'd and profeſſed.

All which Treaſons, Crimes and Offences were contriv'd, committed, perpetrated, acted and done by the ſaid Lords, and every of them, and others the Conſpirators againſt our Soveraign Lord the King, his Crown and Dignity, and againſt the Laws and Statutes of the Kingdom.

Of all which Treaſons, Crimes and Offences, the Knights, Citizens and Burgeſſes in Parliament Aſſembled, did in the Name of themſelves and of the Commons of *England* impeach the ſaid *William* Earl of *Powis*, *William* Viſcount *Stafford*, *Henry* Lord *Arundel* of *Warder*, *William* Lord *Petre*, and *John* Lord *Bellaſis*, and every of them.

And the ſaid Commons, ſaving to themſelves the Liberty of Exhibiting at any time hereafter againſt other Accuſations or Impeachments againſt the ſaid Lords, and every of them, and alſo of Replying to the Anſwers, which they and every of them ſhould make to the premiſes, or any of them, or to any other Accuſation or Impeachment which ſhould be by them exhibited (as the cauſe according to courſe and proceedings of Parliament ſhould require) did pray that the ſaid Lords and every of them ſhould be put to Anſwer all and every the Premiſes, and that ſuch Proceedings,

Exami-

Examinations, Tryals and Judgments might be upon them and every of them, had and uſed, as ſhould be agreeable to Law and Juſtice, and courſe of Parliament.

The Articles of Impeachment being drawn up and finiſh'd and carri'd up to the Lords Houſe, the Lieutenant of the Tower was ordered to bring up the Priſoners to the Bar, where after they had kneeled awhile, they were order'd to ſtand up and hear their Charge; which when they had heard, the Lord Chancellor ask'd them what they had to ſay for themſelves, letting them know withal that his Majeſty would appoint a Lord High Steward for their Tryals. Thereupon the Lords impeach'd made ſeveral requeſts in order to their ſeveral Defences upon their Tryals and then withdrew for a time. After the Houſe had taken their requeſts into conſideration, they were called in again, and the Lord Chancellor gave them to underſtand, that the ſeveral Endictments found againſt them by the Grand Jury, ſhould be brought into that Court by Writ of *Certiorari*; and that they might have Copies of the Articles of Impeachment, and ſhould have convenient time given them to ſend in their reſpective Anſwers thereunto.

All this while the Lord *Bellaſis* had not appeared at the Bar; it being ſworn that he was ſo ill that he could not ſtir out of his bed: which reaſonable excuſe was allow'd for the time. Not long after a Meſſage was ſent from the Lords to acquaint the Commons, that the Lords impeach'd had all, except the Lord *Bellaſis*, brought up their Anſwers to the Charge exhibited againſt them,

and that their Lordſhips had ſent them the Originals, deſiring to have them return'd.

Soon after it was found, that the Lord *Bellaſis* had ſent in his Anſwer without Appearance, which occaſion'd a great Debate, Whether by his not appearance he had been Arraign'd, or no, and whether his Anſwer were legal? The conſideration of which buſineſs was referr'd to the *Committee of Secrecy*; as alſo to look into the Anſwers of the five Lords; to conſider of the Methods of Proceedings upon Impeachments, and to Report their Opinions. Which were, That the Lord *Bellaſis* being Impeach'd of High Treaſon by the Commons could not make any Anſwer, but in perſon. And that the ſeveral Writings put in by the other Lords, which they call'd their Pleas and Anſwers, were not Pleas or Anſwers, but Argumentative and Evaſive, to which the Commons neither could nor ought to reply.

That though the Anſwers of the other four Lords were ſufficient, yet that there ought not to be any Proceedings againſt them, until the Lord *Bellaſis* had put in a ſufficient Anſwer in perſon.

That the Commons ſhould demand of the Lords, that their Lordſhips would forthwith order and require the ſaid Lords to put in their perfect Anſwers, or in default thereof, that the Commons might have Juſtice againſt them.

Thereupon it was order'd by the Commons, That a Conference ſhould be deſir'd with the Lords touching the Anſwers of the five Lords in the *Tower*; and that the Managers thereof ſhould acquaint their Lordſhips, that they intended to

make

make uſe of no other Evidence againſt the five Lords, then for matter done within ſeven years laſt paſt; deſiring their Lordſhips withal, to appoint a ſhort day for the ſaid five Lords to put in their effectual Pleas and Anſwers to the Articles of Impeachment.

But e're this Conference could be had, a Meſſage came from the Lords to acquaint the Houſe, That *John* Lord *Bellaſis* had that day appear'd in perſon at the Bar of the Houſe, and had put in his Anſwer to the Articles of Impeachment, which they had accordingly ſent them.

The next day came another Meſſage from the Lords, to acquaint them, That the Lords *Powis*, *Stafford*, and *Arundel*, had appear'd likewiſe at the Bar, and had retracted their former Pleas, and had put in their Anſwers, which they had alſo ſent for them to view and conſider. All which Anſwers were by the Commons referr'd to the Secret Committee.

What theſe Anſwers were may be eaſily ſeen by that of the Lord *Petre's* here inſerted. For as their Crimes were the ſame, ſo their Defences could not vary much either in ſence or matter.

The Lord Petre's *Answer to the Articles of Impeachment.*

'THE said Lord in the first place, and before 'all other protesting his Innocency, *&c.*

'The said Lord doth with all humility submit 'himself, desiring above all things the Tryal of his 'Cause by this most Honourable House, so that he 'may be provided to make his just Defence, for the 'clearing of his Innocency from the Great and 'Hainous Crimes charged against him by the said 'Impeachment. This being prayed, as also liber-'ty to Correct, Amend, and Explain any thing in 'the said Plea contained, which may any ways 'give this Honourable House any occasion of Of-'fence, which he hopes will be granted.

'The said Lord as to that part of the Impeach-'ment that concerns the matter following: Name-'ly, That for divers years last past, there had been 'contrived and carryed on by the Papists a most 'traiterous and execrable Conspiracy and Plot 'within this Kingdom of *England* and other places, 'to alter and subvert the Antient Government 'and Laws of this Kingdom and Nation, and to 'suppress the true Religion therein Established, 'and to extirpate and destroy the Professors there-'of; and that the said Plot and Conspiracy was 'contrived and carryed on in divers places, and by 'several ways and means, and by a great number

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'of ſeveral Perſons of Qualities and Degrees who 'acted therein, and intended thereby to execute 'and accompliſh their aforeſaid wicked and traite-'rous Deſigns and Purpoſes.

'That the ſaid *William* Lord *Petre*, and other 'Lords therein named, together with ſeveral 'other perſons therein likewiſe named and men-'tioned as falſe Traitors to his Majeſty and King-'dom within the time aforeſaid, have traiterouſly 'acted and conſulted to and for the accompliſhing 'of the ſaid wicked, pernicious and traiterous De-'ſigns, and to that end did moſt wickedly and trai-'terouſly Agree, Conſult, Conſpire, and Reſolve 'to Impriſon, Depoſe, and Murther His Sacred 'Majeſty, and deprive him of his Royal Eſtate, 'Crown and Dignity, and by malitious and advi-'ſed Speaking and otherways declaring their ſaid 'Purpoſes and Intentions; As alſo to ſubject this 'Kingdom and Nation to the Pope and his Tyran-'nical Government, and to Seize and Share among 'themſelves the Eſtates and Inheritance of His 'Majeſty's Proteſtant Subjects, and to Erect and 'Reſtore Abbies, Monaſteries, and other Con-'vents and Societies, which have been long ſince by 'the Laws of this Kingdom ſuppreſt for their Su-'perſtition and Idolatry, and to Deliver up and 'Reſtore to them the Lands and Poſſeſſions now 'Veſted in his Majeſty and his Subjects, by the 'Laws and Statutes of this Realm. And alſo to 'Found and Erect new Monaſteries and Convents, 'and to remove and deprive all Proteſtant Biſhops 'and other Eccleſiaſtical Perſons from their Li-'vings, Benefices and Preferments, and by this 'means to deſtroy his Majeſty's Perſon, and extir-

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'pate the Proteſtant Religion, overthrow the 'Rights, Liberties and Propertys of all his Ma-'jeſty's good Subjects, ſubvert the Laws and Go-'vernment of this Kingdom, and ſubject the ſame 'to the Tyranny of the See of *Rome*; And the 'ſaid Conſpirators, Complices and Confederates 'traiterouſly had and held ſeveral Meetings, Aſſem-'blies and Conſultations, wherein it was contrived 'and deſigned amongſt them what ways ſhould be 'uſed, and the Perſons and Inſtruments ſhould be 'imployed to Murther his Majeſty, and did then 'and there reſolve to effect it, by Poyſoning, 'Shooting, Stabbing, or by ſome ſuch like ways 'and means.

'And to that part of the Impeachment named, 'The better to compaſs their traiterous Deſigns, 'Have Conſulted to raiſe Money, Men, Horſes, 'Arms and Ammunition, *&c.*

'The ſaid Lord, ſaving to himſelf (and which 'he humbly prays may be reſerved to him) the li-'berty of anſwering over, and denying all and 'ſingular the ſaid Crimes and Offences charged on 'him, ſaith, and humbly offereth to this Honou-'rable Houſe, That the Charge of thoſe Crimes 'and Offences ſo impoſed on him by the ſaid Im-'peachment, are ſo general and incertain, that he 'cannot poſſibly Anſwer thereto, or make any 'juſt or lawful Defence upon his Tryal: For that 'the ſaid Charge hath no manner of certainty, in 'point of time, it being laid only for many years 'laſt paſt, which may be for 5, 10, 20, 30, or 'more years, whereby, tho' the ſaid Lord know-'eth himſelf to be altogether innocent of any ſuch 'horrid or deteſtable Crimes, as by the ſaid Im-

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'peachment are objected againſt him. Yet 'tis 'impoſſible for him upon any Tryal thereof to be 'prepared with his juſt and lawful Defence by 'Witneſs, to prove himſelf abſent or in any other 'place at the ſame time of ſuch Meetings or Con-'ſultations, to or for any of the wicked Deſigns 'and Purpoſes in the ſaid Impeachment mention'd, 'as on his Tryal may be ſuddenly objected againſt 'him, when he cannot by any care or foreſight 'whatever, have ſuch Witneſs ready as would 'diſprove them if they were certainly charged 'for any traiterous Deſign, Act, or Crime, at any 'time certainly alledged by the ſaid Impeachment. 'Nor is the ſaid Charge in the ſaid Impeachment 'more certain, as to the place of any ſuch Meet-'ing or Conſultation laid down in the ſaid Im-'peachment, being only alledged, to be in divers 'places within this Realm of *England*, and elſe-'where: Which, for the Cauſe aforeſaid, is ſo 'utterly incertain, that it deprives the ſaid Lord 'of his Defence upon his Tryal. The incertain-'ties likewiſe of the number of Meetings and Con-'ſultations to the wicked Purpoſes in the Impeach-'ment mentioned, and the not ſhewing how many 'times the Lords met and conſulted, and with 'whom in particular, doth likewiſe deprive him of 'all poſſibility of making his Defence in producing 'Witneſſes. For the ſaid Lord being wholly inno-'cent cannot ſuppoſe or imagin what Meetings 'or Conſultations, either to raiſe Money or Men 'for carrying on a Traiterous Deſign, or to any 'other wicked Intent or Purpoſe in the ſaid Im-'peachment mentioned, ſhall or may be objected 'againſt him upon the Tryal. And 'tis as impoſ-

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'ſible for him to bring Witneſſes to prove all the 'Meetings and Conſultations may upon his Tryal 'be objected againſt him, as a traiterous Meeting or 'Conſultation.

'And where it is in the ſaid Impeachment 'charged upon the ſaid Lord, That he hath ut- 'tered Treaſon by malitious and adviſed Speaking, 'and other ways declaring the ſame. The ſaid 'Lord ſaith, That never any traiterous thought 'entred into his heart, and therefore he cannot 'know any Words or Writing he ever ſpoke or 'declared, which are now charged upon him as 'Treaſon, there being no Word or Writing at all 'ſpecified in the Impeachment, whereby the Lord 'may know how to prepare his Defence againſt 'them, or this moſt Honourable Court may judge 'whether the ſaid Words or Writing are in truth 'Treaſonable, or not?

'All which Incertainties, eminent and apparent 'Dangers of the ſaid Lord being thereupon ſur- 'prized in a Cauſe of this Conſequence, wherein 'his Life (and Honour, more dear to him than his 'Life, and all elſe that is dear to him in this World, 'are immediately concerned) being ſeriouſly weigh- 'ed and conſidered by your Lordſhips, He humbly 'prayeth, (as by his Counſel he is adviſed) That 'your Lordſhips would not put him to Anſwer the 'ſaid Impeachment herein above recited, till the 'ſame be reduc'd to ſuch a compleat certainty, that 'the ſaid Lord may know how to Anſwer unto, 'and thereby be enabled to make his juſt Defence 'accordingly.

'All which, notwithſtanding he humbly ſubmit- 'teth to whatſoever your Lordſhips in Juſtice ſhall order

'order and think fit; And to all other Treaſons, 'Crimes and Offences contained, mentioned or 'ſpecified in the ſaid Impeachment, the ſaid Lord 'proteſting his Innocency in the great Wiſdom 'and Sentence of this Honourable Court ſhall al-'ways acquieſce.

Soon after the Lords deſir'd to know of the Commons, Whether they were ready to joyn *Iſſue?* who return'd in a ſhort time for anſwer, That they were ready to make good their Charge againſt the five Lords.

Thereupon a Meſſage was ſent from the Lords to acquaint the Commons, That they had made an Order, That the five Lords in the *Tower* ſhould be brought to their Tryals upon the Impeachments againſt them by that day ſeven night, the Meſſage being deliver'd on the ſixth of *May:* and that they had alſo appointed an Addreſs to be preſented to his Majeſty, for the naming a Lord High Steward, as well in the Caſe of the Earl of *Danby*, as of the other five Lords, and that the ſame ſhould be in *Weſtminſter*-Hall.

Upon this, the Commons appointed a Committee to ſearch Precedents relating to the Meſſage ſent them from the Lords; upon whoſe Report it was found, That on the like occaſion, the Commons had appointed a ſelect Committee to joyn with a Committee of the Lords, to conſider of the Methods and Circumſtances to be obſerv'd in the Tryal. This occaſion'd a Meſſage to the Lords, to deſire a Conference upon the Subject Matter of the laſt Meſſage relating to the Tryal of the Lords in the *Tower*.

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There it was urg'd by the Commons, that they ſuppos'd that their Lordſhips did intend in all their proceedings upon Impeachments depending at that time before their Lordſhips, to follow the uſual courſe and methods of Parliament; and therefore the Commons could not apprehend what ſhould induce their Lordſhips to addreſs to his Majeſty for a Lord High Steward, in order to the determining the validity of the Pardon, which had been pleaded by the Earl of *Danby* to the Impeachment of the Commons; as alſo for the Tryal of the other five Lords; for that they conceiv'd the Conſtituting of a High Steward was not neceſſary; in regard that judgment might be given in Parliament without a High Steward. For which reaſons, and for that there were ſeveral other matters contain'd in their Lordſhips Meſſage, touching the Tryals of the Lords impeach'd, which if not ſettled, might occaſion ſeveral Interruptions and Delays in the Proceedings.

Therefore the Houſe of Commons did propoſe to their Lordſhips, that a Committee of both Houſes might be appointed to conſider of the moſt proper ways and methods of proceedings upon Impeachments by the Houſe of Commons, according to the uſage of Parliament, that thoſe Inconveniences might be avoided.

The Reaſons of the Commons being thus deliver'd, the Lords deſir'd another upon the Conference before going, wherein they declar'd, that they could not agree to a Committee of both Houſes, becauſe they did not think it conformable to the Rules and Orders of Proceedings of that Court, which always was, ever ought to

be tender in matters relating to their Judicature.

Upon the report of this Anſwer, the Commons voted, that it tended to the Interruption of the good Correſpondency between the two Houſes, and therefore deſir'd another Conference with the Lords.

There the Commons declar'd their care to prevent all interruptions of a good Correſpondence between the two Houſes; which as they were deſirous at all times to preſerve, ſo was it more eſpecially neceſſary at ſuch a conjuncture, when the moſt heinous Delinquents were to be brought to Juſtice, that the Enemies of the King and Kingdom might have no hopes left them, to ſee it obſtructed by any difficulties ariſing in the way of proceeding. And therefore in Anſwer to the laſt Conference it was urg'd, That their Lordſhips did not offer any Anſwer or ſatisfaction to the Commons in their neceſſary Propoſals amicably propounded by way of ſuppoſition, that they might have been confirm'd therein by their Lordſhips. That their Lordſhips did intend in all their Proceedings upon the Impeachments now depending before their Lordſhips to follow the uſual courſe and methods of Parliament.

And further, their Lordſhips had not given the leaſt Anſwer or ſatisfaction to the Commons concerning their Lordſhips addreſſing to the King for a Lord High Steward, though the Commons propos'd their deſign of ſatisfaction, in as cautious terms as could be, on purpoſe to avoid all diſputes about Judicature.

Thereupon the ſence of the Commons was thus ſumm'd up, that They, to avoid all Interruptions and Delays in the proceedings againſt the Lords impeach'd, and the inconveniencies that ſhould ariſe thereby, having propos'd to their Lordſhips, that a Committee of both Houſes might be nominated, to conſider of the moſt proper means and methods of proceedings upon Impeachments, and receiving no other Anſwer from the Lords, ſave onely *That they did not think it conformable to the Rules and Orders of the Proceeding of their Court*, without any Reaſon aſſign'd, judg'd the ſaid Anſwer to be a refuſal of them to agree with the Commons in appointing ſuch a Committee, though heretofore not deny'd when ask'd upon the like occaſion; and at that time deſir'd purpoſly to avoid diſputes and delays.

So that in fine the ſence of the Houſe being thus deliver'd by Mr. *Hambden*, at length he told the Lords that he had commands to acquaint them that things ſtanding ſo upon their Anſwer, the Commons could not proceed in the Tryal of the Lords before the Method of proceedings were adjuſted between the two Houſes.

However this difference was ſoon paſſed over had not a large debate interven'd. For ſoon after the Lords ſent down a Meſſage to acquaint the Commons, That they had appointed a Committee of twelve Lords to meet a Committee of the Houſe of Commons in the inner Court of Wards to conſider of propoſitions and circumſtances relating to the Tryal of the Lords in the Tower.

In the midd'ſt of theſe Debates his Majeſty was pleas'd to ſend a Meſſage to the Houſe by Mr. *Powle*, to the following purport, *That His Majeſty had already at the firſt meeting of Parliament, and ſince, by a word or two, mention'd the Neceſſity of having a Fleet out at Sea that Summer, yet the ſeaſon for preparing being advanc'd, and our neighbors before us in preparation, He could not hold himſelf diſcharg'd towards His people, if He did not then with more earneſtneſs, Commend the ſame to their preſent Care and Conſideration, and the rather from the dayly expectation of the return of the Fleet from the Streights, to which a great Arrear was due, and did hereby acquit Himſelf of all the evil Conſequences which the want of a Fleet in ſuch a juncture might produce. Neither had He done this without conſidering that their Entring upon the work preſently could be no hindrance to the great Affairs upon the Houſe, but rather a ſecurity in the diſpatch thereof.*

However it were, the Conſideration of this Meſſage was Adjourned for a Week, and their former Debates reſum'd, if they were at all interrupted.

For now the Committees of Lords and Commons having met, two Propoſitions were made by the Commoners; to ſee the Commiſſion of Lord High Steward, and other Commiſſions.

In the ſecond place, they deſired to know what Reſolutions had been taken touching the Lords Spiritual, whither they ſhould be abſent or preſent.

As to the firſt, the Lords acquainted them with an Order which they had made, that the Office

of a High Chamberlain upon the Tryal of Peers upon Impeachment, was not neceſſary to the Houſe of Peers, but that the Lords might proceed upon ſuch Tryals, though a High Steward were not appointed.

The Lords alſo farther declar'd that a Lord High Steward was made *hac vice* onely, that notwithſtanding the making of a Lord High Steward, the Court remain'd the ſame, and was not thereby alter'd, but ſtill remain'd the Court of Peers in Parliament.

As to the ſecond Propoſition, the Lords communicated the Reſolution of the Peers, which was this, That the Lords Spiritual had a right to ſtay in Court in Capital Cauſes, till ſuch time as judgment of Death comes to be pronounced; or rather, as by a farther explanation of the ſaid Reſolution the Lords made it out, till the Court proceeded to the Vote of Guilty or not Guilty

In the firſt place, the Commons took exception at the words in the Commiſſion of the Lord High Steward for Tryal of the Earl of *Danby*, which were theſe, *Ac pro eo quod Officium Seneſchalli* Angliæ, *(cujus præſentia in hac parte requiritur) ut accepimus jam vacat.* Theſe the Commons deſir'd might be left out, as implying that the continuing a Lord High Steward was neceſſary; and thereupon propos'd theſe words to be inſerted,

Ac pro eo quod Proceres & Magnates in Parliamento Noſtro Aſſemblato nobis humiliter ſupplicaverunt, ut Seneſchallum Angliæ *hac vice conſtituere dignaremur.* Theſe Amendments were ſoon conſented

to

to by the Lords, and it was farther agreed that the Commiſſion under Seal for Conſtituting a Lord High Steward for the Tryal of the Earl of *Danby* ſhould be recall'd, and another new Commiſſion according to the Amendments iſſu'd forth, bearing date after the ſaid Reſolve; and that the like Commiſſion ſhould be iſſu'd forth for Tryal of the other Lords.

As to the Lords Anſwer to the ſecond Propoſition, the Commons gave their Committee order to inſiſt, That the Lords Spiritual ought not to have any Vote in any proceedings againſt the Lords in the Tower; and that when that matter ſhould be ſettled, and the methods of Proceedings adjuſted, that then the Houſe would be ready to proceed upon the Tryal of the Earl of *Danby*, againſt whom the Houſe had already demanded Judgment, and afterwards to the Tryal of the other five Lords.

Upon the 16*th* of *May*, after ſeveral Debates and Reports of both Committees, the Lords came to this Reſolution, that the *Thurſday* following ſhould be appointed to begin the Tryal of the five Lords.

Upon which the Lords Spiritual deſired leave of the Houſe, that they might withdraw themſelves from the Tryal of the ſaid Lords, with Liberty of Entring their uſual proteſtations. This Reſolution and the deſire of the Biſhops being communicated to the Commons. It was by them reſolv'd, That the Vote of their Houſe extended aſwell to the Earl of *Danby*, as the reſt, and that if the Biſhops might have leave to withdraw, it imply'd a right, which if they had, it was a new

Court; a thing the Commons could not admit of. The Lords made Anſwer that there was no day appointed for the Tryal of the Earl of *Danby*, and that the Lords Spiritual would be abſent at all the parts of the Tryals of the five Lords; and that the Proteſtation they deſired to enter would be the ſame as in the Earl of *Stafford's* caſe.

To which the Commons reply'd that they could not proceed to treat of any other propoſal till ſuch time as the buſineſs about the Court ſhould be ſettl'd.

But the Lords inſiſting ſtill upon their firſt Reſolutions, the Commons thought fit to draw up their Reaſons in writing, which they did, and deliver'd them to the Committee of Lords upon the 26*th* of *May*. Which was the day before their Prorogation. Which becauſe they are matter of Hiſtory as well as debate, may not be unfitly inſerted.

They alleadged that the Commons had always deſir'd, that a good Correſpondence might be preſerv'd between the two Houſes.

That there was then depending between their Lordſhips and the Commons a matter of the greateſt weight; In the tranſactions of which their Lordſhips did ſeem to apprehend ſome difficulty in the Matters propos'd by the Commons. To clear the ſame the Commons had deſir'd that Conference; by which, they hop'd to manifeſt to their Lordſhips that the Propoſitions of the Houſe of Commons, made by their Committe, in relation to the Tryal of the Lords in the Tower, were only ſuch as were well warranted by the Laws of the Parliament, and Conſtitution of Government,

and

and in no ſort intrenched upon the Judicature of the Peers, but were moſt neceſſary to be inſiſted upon, that the Ancient Rights of Judicature in Parliament might be maintain'd.

The Commons readily acknowledg'd that the Crimes charged upon the Earl of *Powis*, Viſcount *Stafford*, Lord *Arundel* of *Wardour*, and Lord *Bellaſis* were of deep Guilt, and call'd for ſpeedy Juſtice: But withal, they held, that any change in Judicature in Parliament, made without conſent in full Parliament, was of pernicious Conſequence both to his Majeſty and his Subjects; and conceived themſelves obliged to tranſmit to their Poſterity all the Rights which of that kind they had receiv'd from their Anceſtors, by putting their Lordſhips in mind of the progreſs that had already been between the two Houſes in relation to the Propoſitions made by the Commons, and the reaſonableneſs of the Propoſitions themſelves. So that they doubted not but to make it appear, that their Aimes had been no other, then to avoid ſuch Conſequences, and to preſerve that Right; and that there was no delay of Juſtice on their part. And to that purpoſe they offer'd to their Lordſhips the enſuing Reaſons and Narrative. That the Commons in bringing the Earl of *Danby* to Juſtice, and in diſcovery of that execrable and traiterous Conſpiracy, (of which the five Popiſh Lords ſtood impeached, and for which ſome of their wicked Accomplices had already undergone the ſentence of the Law, as Traytors and Murtherers) had labour'd under many great difficulties was not unknown to their Lordſhips.

Nor was it leſs known to their Lordſhips, That upon the Impeachment of the Houſe of Commons againſt the Earl of *Danby* for High Treaſon, and other high Crimes, Miſdemeanors and Offences, even the common Juſtice of ſequeſtring him from Parliament, and forthwith committing him to ſafe Cuſtody was then requir'd by the Commons, and deny'd by the Peers, though he then ſate in their Houſe. Of which their Lordſhips had been ſo ſenſible, that at a free Conference, the 10th of *April* laſt, their Lordſhips declar'd, *That it was the Right of the Commons, and well warranted in former Ages, That upon an Impeachment of the Commons, a Peer ſo impeach'd, ought of right to be order'd to withdraw, and then to be Committed.* And had not that Juſtice been deny'd to the Commons, a great part of the Seſſions of Parliament, which had been ſpent in framing and adjuſting a Bill, for cauſing the Earl of *Danby* to appear and anſwer that Juſtice, from which he was fled, had been ſav'd, and employ'd for the preſervation of his Majeſties Perſon, the ſecurity of the Nation, and in proſecution of the other five Lords. Neither had he had the Opportunity for procuring for himſelf that illegal Pardon, which bore date the firſt of *March*, and which he pleaded in Bar of his Impeachment; nor of waſting ſo great a proportion of the Treaſure of the Kingdom, as he had done, after the Commons had exhibited their Articles of Impeachment againſt him.

After which time ſo loſt, by reaſon of the denyal of that Juſtice which of right belonged to the Commons upon their Impeachment, the ſaid

Bill

Bill being ready for the Royal Aſſent, the ſaid Earl then rendred himſelf, and by their Lordſhips Order of the 16*th* of *April* laſt, was committed to the *Tower*. After which he pleaded the ſaid Pardon, and being preſt, did at length declare, that he would rely upon and abide by that Plea. Which Pardon ſo Pleaded, being illegal and void ought not to Barr or preclude the Commons from having Juſtice upon the Impeachment. They did thereupon with their Speaker, on the Fifth of *May*, in the name of themſelves and all the Commons of *England* demand Judgment againſt the ſaid Earl upon their Impeachment; not doubting but that their Lordſhips did intend in all their proceedings upon the Impeachment, to have follow'd the uſual Courſe and Method of Parliament.

But the Commons were not a little ſurpriz'd by the Meſſage ſent from their Lordſhips, deliver'd them on the ſeventh of *May*, thereby acquainting them, that as well the Lords Spiritual as Temporal had order'd that the 10*th* of *May*, ſhould be the day for hearing the Earl of *Danby*, to make good his plea of Pardon. And that on the thirteenth of *May*, the other Five Lords ſhould be brought to their Trial; and that their Lordſhips had addreſſed to His Majeſty for naming of a Lord High Steward, as well in the Caſe of the Earl of *Danby*, as of the other Five Lords.

Upon Conſideration of this Meſſage, the Commons found, that the admitting of the Lords Spiritual to exerciſe Juriſdiction in theſe Caſes, was an alteration of the Judicature in Parliament, and which extended as well to the proceeding againſt the Five Lords, as the Earl of *Danby*. And that

if a Lord High Steward ſhould be neceſſary upon Trial on Impeachments of the Commons, the power of Judicature in Parliament, upon Impeachments might be defeated by ſuſpending or denying a Commiſſion to Conſtitute a Lord High Steward. And that the ſaid days of Trial appointed by their Lordſhips were ſo near to the time of their ſaid Meſſage, that thoſe Matters, and the Method of Proceeding upon the Trial could not be adjuſted by conference between the two Houſes, before the day ſo nominated. And conſequently the Commons could not then proceed to Trial, unleſs the zeal which they had for ſpeedy Judgment againſt the Earl of *Danby*, (that ſo they might proceed to Trial of the other Five Lords) ſhould induce them at that juncture, both admit the Enlargment of their Lordſhips Jurisdiction, and to ſit down under thoſe or any hardſhips (though with the hazard of all the Commons Power of impeaching for time to come) rather then that the Trial of the ſaid Five Lords ſhould be deferr'd for ſome ſhort time, while thoſe Matters might be agreed on and Settl'd.

For reconciling differences in theſe great and weighty Matters, and for ſaving that time which would neceſſarily have been ſpent in Debates and Conferences betwixt the two Houſes, and for expediting the Trials, without giving up the power of Impeachments, or rendring them effectual.

The Commons thought fit to propoſe to their Lordſhips, that a Committee of both Houſes might be appointed for that purpoſe. At which Committee, when agreed to by their Lordſhips it was firſt propoſed; That the time of Trial of the

the Lords in the *Tower* ſhould be put off till the other Matters were adjuſted; and it was then agreed, That the Propoſition as to the time of Trial ſhould be the laſt thing Conſidered: The effect of which agreement ſtands reported in their Lordſhips Books.

After which, the Commons Communicated to their Lordſhips, by their Committee, a Vote of theirs, that the Committee of the Commons ſhould inſiſt upon the former Vote of the Houſe, that the Lords Spiritual ought not to have any Vote in any proceeding againſt the Lords in the *Tower* and that when that Matter ſhould be ſettled, and the method of proceedings adjuſted, the Commons would then be ready to proceed upon the Trial of the Pardon of the Earl of *Danby*, againſt whom they had before demanded Judgment, and afterwards to the Trial of the other Five Lords in the *Tower*. Which Vote extended as well to the Earl of *Danby*, as to the other Five Lords. But the Commons had as yet received nothing from their Lordſhips towards an Anſwer of that Vote, ſave that their Lordſhips had acquainted them, that the Biſhops had ask'd leave of the Houſe of Peers, that they might withdraw themſelves from the Trial of the Five Lords, with Libertie of entring their uſual Proteſtations.

And though the Commons Committee had almoſt daily declar'd to their Lordſhips Committee, That that was a neceſſary point to be ſettled before the Trial, and offer'd to debate the ſame, their Committee ſtill anſwer'd that they had not power from their Lordſhips, either to confer upon or give any Anſwer concerning that Matter.

And

And yet their Lordſhips, without having given the Commons any Satisfactory Anſwer to the ſaid Vote, or permitting any Conference or debate thereupon, did on *Thurſday* the ſecond of *May*, ſend a Meſſage to the Commons, declaring that the Lords Spiritual as well as Temporal had order'd the 27*th* of *May* for the Trial of the Five Lords.

So that the Commons could not but apprehend, that their Lordſhips had not only departed from what was agreed on, and in effect lay'd aſide by that Committee which was conſtituted for preſerving a good underſtanding betwixt the two Houſes, and better diſpatch of the weighty affairs depending in Parliament, but alſo muſt needs conclude from the Meſſage and Votes of their Lordſhips of the 7*th* of *May*, That the Lords Spiritual had a right to ſtay and ſit in Court, till the Court proceeded to the Vote of Guilty or not Guilty. And from the Biſhops asking leave that they might withdraw themſelves from the Trial of the ſaid Lords, with Libertie of entring their uſual Proteſtations, and by their perſiſting to go on, and giving their Votes in proceedings upon Impeachments, that their deſire of leave to withdraw at the Trials was only an evaſive anſwer to the before mentioned Vote of the Commons, and chiefly intended as an argument for a right of Judicature in Proceedings upon Impeachment, and as a reſerve to judge upon the Earl of *Danby's* plea of Pardon: and upon thoſe and other like Impeachments, though no ſuch power was ever claim'd by their Predeceſſors, and was utterly deny'd by the Commons. And the Commons were the rather induc'd to beleive it ſo intended, becauſe the very asking leave to withdraw,

draw, ſeem'd to imply a right to be there, and that they could not abſent without it.

The Commons therefore did not think themſelves oblig'd to proceed to the Tryal of the Lords on the ſeventh of *May*, but to adhere to their Vote. And for their ſo doing, beſides what had been already and formerly ſaid to their Lordſhips they offer'd theſe Reaſons following.

I.

Becauſe your Lordſhips have receiv'd the Earl of *Danby*'s Plea of Pardon, with a very long and unuſual Proteſtation, wherein he has aſpers'd His Majeſty by falſe ſuggeſtions, as if His Majeſty had commanded or countenanc'd the Crimes he ſtands charg'd with, and particularly the ſuppreſſing and diſcouraging the Diſcovery of the Plot, and endeavouring to Introduce an Arbitrary and Tirannical way of Government; Which remains as a ſcandal to His Majeſty, tending to render His Perſon and His Government odious to His People, againſt which it ought to be the principal care of both Houſes to Vindicate His Majeſty by doing juſtice upon the ſaid Earl.

II.

The ſetting up a Pardon to be a Bar againſt an Impeachment defeats the whole uſe and effect of Impeachments; and ſhould this point be admitted, or ſtand doubted, it would totally diſcourage the exhibiting any for the future. Whereby the chief Inſtitution for the preſervation of the Go-

vernment

vernment, and conſequently the Government it ſelf would be deſtroy'd. And therefore the caſe of the ſaid Earl, which in conſequence concerns all Impeachments whatſoever, ought to be determin'd before that of the five Lords, which is but their particular caſe.

And without reſorting to many Authorities of greater Antiquity, The Commons deſire your Lordſhips to take Notice, with the ſame regard they do, of the Declaration which that Excellent Prince, King *Charles* the I. of bleſſed Memory, made in this behalf, in his Anſwer to the nineteen Propoſitions of both Houſes of Parliament. Wherein ſtating the ſeveral parts of this Regulated Monarchy, He ſays, *The King, the Houſe of Lords, and the Houſe of Commons have each their particular Priviledges. And among thoſe which belong to the King he reckons Power of pardoning.* After the Ennumerating of which, and other his Preaogatives, His ſaid Majeſty adds thus; *Again that the Prince may not make uſe of this High and perpetual Power to the hurt of thoſe for whoſe good he hath it, and make uſe of the Name of public Neceſſity, for the Gain of his private Favourites and Followers, to the Detriment of the People, the Houſe of Commons* (an excellent preſervative of Liberty, &c.) *is ſolely entruſted with the firſt Propoſitions concerning the Levying of Mony, and the Impeaching of thoſe, who for their own ends, though countenanc'd by any Surreptitiouſly gotten Command of the King, have violated the Law, when he knows it, which he is bound to protect, and to the protection of which they are bound to adviſe him, at leaſt not to ſerve him to the contrary. And the Lords being entruſted*

with

with a Judiciary power, are an excellent Skreen and Bank between the Prince and People, to aſſiſt each againſt any encroachments of the other, and by juſt Judgment to preſerve the Law, which ought to be the Rule of every one of the three, &c. Therefore the Power plac'd in both Houſes is more then ſufficient to prevent and reſtrain the Power of Tyranny, &c.

III.

Untill the Houſe of Commons have right done them againſt this Plea of Pardon, they may juſtly apprehend, that the whole Juſtice of the Kingdom in the Caſe of the five Lords may be obſtructed and defeated by Pardons of the like nature.

IV.

And Impeachments are virtually the voice of every particular Subject of this Kingdom, crying out againſt Oppreſſion, by which every member of that Body is equally wounded. And it will prove a matter of ill conſequence, that the Univerſality of the People ſhould have occaſion miniſter'd and continu'd to them to be apprehenſive of utmoſt danger from the Crown, from whence they of right expect Protection.

V.

The Commons exhibited Articles of Impeachment againſt the ſaid Earl, before any againſt the five

five other Lords; and demanded Judgment upon thoſe Articles. Whereupon your Lordſhips having appointed the Tryal of the ſaid Earl to be before that of the other five Lords, and now having inverted the ſaid Order, gives a great cauſe of doubt to the Houſe of Commons, and raiſes a jealouſie in the Hearts of all the Commons of *England*, That if they ſhould proceed to the Tryal of the ſaid five Lords in the firſt place, not only Juſtice will be obſtructed in the caſe of thoſe Lords, but that they ſhall never have right done them in the matter of this Plea of Pardon, which is of ſo fatal Conſequence to the whole Kingdom, and a new device to fruſtrate the public Juſtice in Parliament.

Which Reaſons and Matters being duly weigh'd by your Lordſhips, the Commons doubt not but your Lordſhips will receive ſatisfaction, concerning their Propoſitions and Proceedings. And will agree, That the Commons neither ought nor can, without deſerting their Truſt, depart from their former Vote communicated to your Lordſhips; *That the Lords Spiritual ought not to have any Vote in any proceedings againſt the Lords in the Tower, &c.*

This Narrative and the Reaſons being deliver'd, as is already mention'd, were the next day read and debated; and then the Lords read their own Vote of the 13*th* of *May*, and their Explanation thereupon, and the Queſtion being put, whether to inſiſt upon thoſe Votes concerning the Lords Spiritual, it was Reſolv'd in the Affirmative; Eight and twenty of the Lords diſſenting.

What

What the iſſue of the diſpute would have been, is not here to be diſputed: but this is certain, that while both Houſes were thus conteſting, His Majeſty himſelf put an end to their Debates. For that very day being come in His Royal Robes into the Houſe of Lords, and ſeated in His Throne, the Commons alſo attending, His Majeſty was pleas'd to give His Royal Aſſent to

A Bill for the better ſecuring the Liberty of the Subject.
A Bill for reingroſſing of Fines burn'd in the late Fire in the Temple. And
A Private Bill concerning Charles Dale *of* Rutlandſhire *Eſq;*

And then having intimated His Reſolution to the two Houſes to Prorogue them till the 14*th* of *Auguſt*, The Lord Chancellor Prorogu'd them accordingly by His Majeſties Command.

Little elſe of moment was done this Seſſions; onely the Houſe of Commons having order'd a Committee to inſpect the Miſcarriages of the Navy, upon their report of the Heads of an Information againſt Sir *Anthony Deane* and Mr. *Pepys* Members of the Houſe, they were both by Order of the Houſe committed to the Tower: by virtue of which commitment they ſtill remain under Bail.

Preſently after the Prorogation of the Parliament came the News of the Rebellion that was broken out in the Weſt of *Scotland*, where they Proclaim'd the Covenant, and ſet up a Declaration of which the ſubſtance was, That

As

AS it was not unknown to a great part of the World how happy the Church of Scotland had been, while they enjoy'd the Ordinances of Jesus Christ in their Purity and Power, of which we had been deplorably depriv'd by the reeſtabliſhment of Prelacy; So it was evident, not only to impartial Perſons, but to profeſs'd Enemies, with what unparallell'd Patience and Conſtancy, the People of God had endur'd all the Cruelty and Oppreſſion that Prelates and Malignants could invent or exerciſe. And that being moſt unwilling to act any thing that might import Oppoſition to lawful Authority, though they had all along been groaning under Corruptions of Doctrine, ſlighting of Worſhip, deſpiſing Ordinances, Confining, Impriſoning, Exiling their faithful Miniſters; Fining, Confining, Impriſoning, Torturing, Tormenting the poor People, Plundering their Houſes and Selling their Perſons to Forraign Plantations; whereby great Numbers in every Corner of the Land were forc'd to leave their Dwellings, Wives and Children, and to wander as Pilgrims, none daring to Supply or Relieve them, nor ſo much as to ſpeak with them upon their Death-beds, for fear of making themſelves obnoxious to the ſame Puniſhments. And not only ſo, but that they had been forc'd alſo to ſtoop under the Yoak of Oppreſſion in their Civil Intereſts, their Bodies, Liberties and Eſtates: So that all manner of Outrages had been exercis'd upon them through a tract of ſeveral Years paſt; particularly in the Year 1678. by ſending among them an Armed hoſt of Barbarous Savages contrary to all Law and Humanity; and by laying upon them ſeveral Impoſitions and Taxes by a prelimited and

over-

over-awed Convention of Eſtates in July 1678. *for keeping up an armed Force entruſted for the moſt part into the Hands of avow'd Papiſt, or their Favourers: by whom ſundry invaſions had been made upon them, and incredible Inſolencies committed againſt them: their Miniſters and People being by them frequently hunted after and apprehended, while meeting in Houſes for Divine Worſhip. So that being neceſſitated to attend the Lord's Ordinances in fields and deſert places, there they had alſo been hunted out and Aſſaulted to the Effuſion of their Blood, whereby they were inevitably conſtrain'd either to defend themſelves by Arms at theſe Meetings, or to be altogether depriv'd of the Goſpel preach'd by their faithful Miniſters. That upon the firſt day of* June *laſt, being the Lord's Day, Captain* Graham *of* Clover-Houſe, *being Warranted by Proclamation to kill whom ſoever he found in Arms at field-Conventicles, and making Reſiſtance, furiouſly aſſaulted the People there aſſembled, and further to provoke them, bound a Miniſter, with ſome others whom he had found in Houſes that Morning; ſo that they were forc'd to ſtand to their own Defence, whereby it happen'd that ſeveral were ſlain on both ſides. Being therefore thus inevitably forc'd to betake themſelves to the laſt Remedy, in regard the Magiſtrates had ſhut the door of the Law againſt their Applications, They thought themſelves bound to declare, That theſe with many other horrid Grievances both in Church and State, were the true Cauſe of this their Lawful and Innocent Self-defence. And they did moſt ſolemnly in the preſence of God, declare, that the true Reaſons of their continuing in Arms were candidly and ſimply,*

I. The defence and ſecurity of the true Proteſtant Religion, and Presbyterian Government, founded upon the Word, and ſummarily comprehended in the Confeſſions of Faith, and eſtabliſhed by the Laws of the Land; to which King, Nobles and People were ſolemnly engag'd by the National Solemn League and Covenant. More particularly the defending and maintaining the Kingly Authority of Chriſt over his Church, againſt all ſinful Supremacy, derogatory thereto.

II. The defence and preſervation of his Majeſty, his Perſon and Authority, in the preſervation and defence of that true Religion, and Liberties of the Kingdom. That the World might bear witneſs of their Loyalty, and that they had no thought, or intention, to diminiſh his juſt Power and Greatneſs.

III. To obtain a free and unlimited Parliament, and a free general Aſſembly, in order to the redreſſing of their Grievances, to prevent Popery, and to extirpate Prelacy from among them.

This therefore being the Cauſe they appear'd for and reſolv'd to own, They humbly requeſted the King's Majeſty to reſtore all things as he found them, when God brought him home to his Kingdom. Or if that could not be obtain'd, then they heartily invited, intreated, beſought and obteſted in the bowels of Jeſus Chriſt, all who were under the ſame Bonds with them, to meet in the Defence of the Common Cauſe and Intereſt. And they requeſted their Country-men,

the

the ſtanding Forces of the Kingdom, of whom many were their Friends and Relations, not to Fight againſt them, leſt in ſo doing they ſhould be found Fighting againſt the Lord, whoſe Cauſe and Quarrel they were ſure he would own, ſeeing they fought under his Banner, who was the Lord of Hoſts.

Upon the publiſhing of this Declaration, the Numbers of the Rebels increas'd, and they began to embody themſelves to maintain their zealous Madneſs. Inſomuch that at the latter end of this Month, about four-ſcore of their Number, well mounted and arm'd, went to a place call'd *Rugland*, and there Proclaim'd the Covenant, and burn'd ſeveral Acts of the Scotiſh Parliament, as the Act concerning the King's Supremacy: the Reciſſory Act; and the Act appointing the Anniverſary of the twenty ninth of *May*. And that being done, they affix'd a certain Scandalous and Traiterous Paper or Declaration, on the Market-Croſs of the ſame Town, different from what has been already repeated, and in the following ſcurrilous Terms.

The Declaration of the Rebels in the very words as it was deſign'd to have been put up by them at Glaſgow, *and actually ſet up at* Rugland.

'AS the Lord had been pleas'd ſtill to preſerve and keep his Intereſt in the Land, by the 'Teſtimony of ſome faithful Witneſſes from the 'beginning, ſo in our days ſome have not been 'wanting, who through the greateſt of hazards, 'had added their Teſtimonies to thoſe who have 'gone before them, by ſuffering Death, Baniſh-'ment, Torturings, Finings, Forfeitures, Im-'priſonments, &c. flowing from cruel and per-'fidious Adverſaries to the Church and Kingdom 'of our Lord Jeſus Chriſt in the Land. There-'fore We, owning the Intereſt of Chriſt, accor-'ding to the Word of the Lord; and the Natio-'nal, and Solemn League and Covenant, deſire 'to add our Teſtimony to the Teſtimony of the 'Worthies that have gone before (though un-'worthy, yet hoping as true Members of the 'Church of *Scotland*) and that, againſt all things 'that have been done prejudicial to his Intereſt, 'from the beginning of the Work of Reformati-'on in *Scotland*, eſpecially from the Year 1648. 'to the Year 1660. againſt theſe following Acts. 'As

'1. The

'1. The Act of Supremacy.

'2. The Declaration whereby the Covenants 'are condemned.

'3. The Act for the Eversion of the Estabi- 'shed Government of the Church, and for Esta- 'blishing of Prelacy, and for outing of Christ's 'Ministers, who could not conform thereto by an 'Act Reciſſory of all Acts of Parliament, and As- 'semblies, for the Establishment of the Govern- 'ment of the Church of *Scotland* according to the 'Word.

'As likewise that Act of Council at *Glasgow*, 'putting that Act Reciſſory in Execution, where- 'by at one time, were violently cast out above 'three hundred Ministers, without Legal Proce- 'dures.

'Likewise the Act, appointing a holy Anni- 'versary, to be kept upon the twenty ninth day 'of *May*, for the giving thanks for the upsetting 'of a Usurping Power, destroying the Interest of 'the Church in the Land, which is to set up the 'Creature to be worshipp'd, in the Room of our 'great Redeemer, and to consent to the assuming 'the Power, that is proper to the Lord alone, for 'the appointing of Ordinances in his Church. As 'particularly the Government thereof, and the 'keeping of a Holiday, and all other sinful and 'unlawful Acts committed by them.

'And for confirmation of this our Testimony, 'we do hereby this day, being the twenty ninth 'of *May* 1679. publicly burn them at the Cross 'of *Glasgow* most justly, as they Perfidiously and 'Blasphemously had burnt our holy Covenant 'through several Cities of the Covenanted King-

'doms. We judge none will take exceptions at 'our not ſubſcribing this our Teſtimony being ſo 'ſolemnly gone about: for we are ready always 'to do it, if judg'd neceſſary, with all the faithful 'ſuffering Brethren of the Land.

June 1679.

This Declaration they intended to have put up at *Glaſgow*; but the Neighbouring Parts being hotly alarum'd by theſe proceedings, Captain *Graham* of *Clover-Houſe* upon intelligence of a great number of Men, being gather'd togeth er upon *Loundoun Hill*, march'd thither with his Troop, and a Company of Dragoons, and there found a Body of Fourteen or Fifteen hundred Men, well arm'd and in good Order. The Foot were Commanded by one *Weir*; the Horſe by *Robert Hamilton*, and three more, whoſe names were, *Patton*, *Balfour* and *Haxton*; of which the two laſt were deep in the Murder of the Archbiſhop of St. *Andrews*.

The Rebels, upon the approach of Captain *Graham*, ſent out two Parties to skirmiſh with him, which he beat into their main Body. Upon which they advanc'd upon him with their whole Force. Yet notwithſtanding all their Number, and though his own Horſe were kill'd under him, being ſoon mounted upon another, he made good his ground, till at laſt being overpower'd by Number, after a great ſlaughter of the Rebels, with the loſs of his Cornet, two Brigadeers, eight Horſe, and twenty Dragoons, he was forced to retreat toward *Glaſgow*; being after all this, conſtrain'd to Fight his way thorow the

Townſ-

Townſmen of *Strevin*, who were got together to oppoſe him, of whom he left ten or twelve dead upon the place.

The Rebels, thus finding themſelves ſuperior in Force, had the confidence, the next day, to attack the City of *Glaſgow* at two ſeveral times. But all the Streets were ſo well barricado'd by the Lord *Roſs*, and the Souldiers there put into ſo good and advantagious poſture of Defence, that the Rebels were beat off with a conſiderable loſs, beſides many Priſoners that were taken. Whereupon the Horſe and Foot in the Town ſally'd out upon them, and forc'd them to retire.

But now to leave *Scotland* for a while, let us return to *London*, to which place Tranſactions no leſs ſignal call us back. For upon the ſeventh of this Month, the Marquis *d' Auronches*, Embaſſador extraordinary from the Crown of *Portugal* made his public Entry, having been receiv'd at *Greenwich* by the Earl of *Kent*, and Sir *Charles Cotterell*, Maſter of the Ceremonies, and from thence brought by Water in the King's Barge, with ſeveral others of his retinue, to Tower-Hill. Where when he Landed he was ſaluted with a diſcharge of ſeveral pieces of Cannon, put into his Majeſties Coach of State and conducted to *Weſtminſter*. His Equipage was very ſplendid, conſiſting of ſix Pages, who with the Gentleman of his Horſe, rod on Horſback, and twenty Foot-men; And his three Coaches, one of which was more remarkable for its richneſs, were follow'd by a numerous train of others with ſix Horſes a piece. Being come to his

Lodging, he was complimented from the King, by the Lord *Berkley* of *Stratton*, and from the Queen, by Sir *William Killegrew*, her Majesties Vice-Chamberlain.

The next day, but one, he was conducted to his Audience of their Majesties, in the Banquetting-House, by the Earl of *Shrewsbury* and Sir *Charles Cotterell*, being splendidly attended from *Westminster* in the King's Coach of State.

As for the Papists, they were still as great misbelievers as ever, cry'd up the innocency of their own pretended Martyrs, exclaim'd against the Injustice of their Condemnation, and labour'd by all means imaginable to persuade the World into a concurrence with their pretended suggestions. As that Religion seldom wants weak and improbable Arguments among the Wise, to stumble mean and Vulgar Capacities. Therefore it was now thought convenient to bring the rest of the crue, that were in hold, before the face of Justice, that by their Tryals and Condemnations, they might silence the folly of vain Insinuation, and confirm the Impiety of those that had preceded them in Punishment.

To which purpose, toward the middle of this month, *Thomas White*, alias *Whitebread*, Provincial of the Jesuits in *England*, *William Harcourt* the pretended Rector of *London*, *John Fenwick* Procurator for the Jesuits in *England*, *John Gaven*, alias *Gawen*, *Anthony Turner*, and *James Corker*, were brought to the Bar of the Session's-House in the Old-Baily.

As for *Corker*, he presented a Petition to the Court, setting forth that he was absolutely surpriz'd

priz'd, and unprepar'd for his Tryal, and therefore beſought the Court that he might not be try'd till the next Seſſions.

To this the Court ſeem'd inclinable enough, nor did the Attorney General gain-ſay it, upon condition that he could really make it out, that he wanted Witneſſes, without which he could not make his Defence. However it was thought fitting that he ſhould hear the Charge that was againſt him read; to the end he might be able to give the Court an accompt what witneſſes he had, that might avail him in reference to his defence againſt it. Which being done, the former queſtion was put to him again; and then he nam'd a witneſs to prove that he was not in Town upon the 24*th* of *April*; So that being reſpited till the next day, the Court ſaid nothing farther to him that ſitting.

The other five ſtood charg'd of High Treaſon; the particulars whereof were, 'That upon 'the twenty fourth of *April*, in the thirtieth 'Year of the King's reign, they with others did 'Conſpire to raiſe up Sedition and Rebellion: to 'cauſe a moſt bloody Maſſacre of the King's 'Subjects; to depoſe the King of his Govern-'ment, and bring him to an untimely Death, 'to alter the Government and Religion eſtabliſh'd 'by Law, and to levy War againſt the King. It was further lay'd to their Charge in the Indictment, 'That in purſuance of their evil In-'tentions, and the better to accompliſh their 'Deſigns, They met together, held Conſultati-'ons, and agreed to murther the King; and 'upon that bloody foundation to build the

'pro-

'progreſs of their Villany; which was to in-
'troduce the Superſtition of the Church of *Rome*
'inſtead of the Religion eſtabliſh'd by Law.
'It was concluded that *Grove* and *Pickering*
'ſhould commit the Murther, for which *White-*
'*bread* and the other perſons Indicted, Contra-
'cted, with the one for ſuch a number of Maſ-
'ſes, and with the other for a certain ſum of
'Money. That they did alſo make diligent en-
'quiry for four other Perſons unknown, and
'when they came to them, did both animate
'and embold'n, encourage and abet them to kill
'the King at *Windſor*. And all this adviſedly,
'and out of a Traiterous Malice and Hatred
'againſt the King, and the National Government
'and Religion.

The Indictment being read, *Whitebread* repreſented to the Court, that in regard he had been try'd upon the 17*th* of *December* before, upon the ſame Indictment, at what time the Jury being impannell'd, and the Evidence found inſufficient which came in againſt him, the Jury was diſcharged without a Verdict, he was inform'd that no man could be try'd, and conſequently be put in jeopardy of his life twice for the ſame cauſe. For which reaſon he made it his humble ſuit, that he might have Counſel to direct him upon that point in the matter of the Law. He urg'd that his life was in danger, as being deliver'd over in Charge to the Jury: and to make it out, he alleg'd the Caſe of *Sayer*, in the 31 *Eliz.* who having pleaded to a former Indictment for a Burglary, was Indicted a ſecond time; upon which it was the Opinion of the Judges, that

he

he could not be Indicted twice for the ſame fact. He likewiſe deſir'd a ſight of the Record, and that he might be inform'd, Whether, or no, when a perſon comes upon his Tryal, he ought not either to be Condemn'd or Acquitted ?

Upon the whole matter and his motion together, the Court declar'd to him, That the Jury being diſcharg'd of him, his Life was in no danger. For that the Jury being Sworn to make a true deliverance of the Priſoners in their Charge, their Charge could not be full, till the laſt Charge of the Court, after Evidence. Moreover, he was told, That ſuch a Plea, as he produc'd, could not be ſupported without a Record: but that it was certain, that there was no ſuch Record of the 17th of *December*, for that there was no Verdict; and beſides, it was not the ſame Indictment, in regard it contain'd new Matter.

Fenwick offer'd the ſame Plea, enlarging himſelf upon it. That both of them were then in the ſame danger with the other three that had ſuffer'd; in regard that if Mr. *Bedloe* had giv'n the ſame Evidence againſt *Him* and *Whitebread*, as he gave againſt the reſt, they two ſhould have been likewiſe condemn'd. So that the Evidence falling ſhort, he ſuppos'd, that they ought to have been diſcharg'd.

But the Court returning the ſame Anſwer to him, as to the former, they both ſubmitted, and ſo all of them Pleaded ſeverally *not Guilty* to the Indictment.

When the Jury came to be Impannell'd, they excepted unanimouſly, without naming them, againſt all thoſe Perſons that had ſerv'd before as Jurymen

men in the ſame Cauſe: which the Court allowed them, as but reaſon; and gave order to the Clark of the Arraignments, not to Impannel any that were upon the former Jury.

When the King's Counſel had open'd the Indictment, Dr. *Oates* was the firſt Witneſs ſworn, who Depos'd againſt *Whitebread*, 'That he was 'made *Provincial* the laſt *December* was Twelve-'month, and by Virtue of his Authority, order'd 'one *Conyers* to Preach in the *Engliſh* Seminary, 'upon St. *Thomas* of *Becket*'s day, That the 'Oaths of Allegiance and Supremacy were Anti-'chriſtian, Heretical, and Deviliſh: which ac-'cordingly was done.

'That he wrote Letters in *January* or *February* 'to St. *Omers*, relating what *Talbot* had written 'to him about the State and Condition of *Ire-'land*: the purport whereof was, That thouſands 'would be ready to Riſe ſo ſoon as the *Blow* 'was given. By which word *Blow* they uſually 'meant the Murther of the King, as thoſe of 'the Society had Inſtructions to underſtand. And 'this *Blow*, *Whitebread* wrote in his Letter, That 'he hop'd it would not be long before it ſhould be 'given.

'That he was at the Conſult at the *White Horſe-'Tavern*, upon the 24th of *April*, and there a-'greed upon the *Reſolve*; That he ſign'd the '*Reſolve* at *Wild-Houſe*. That the *Reſolve* was, 'That *Grove* and *Pickering* ſhould proceed in 'their Buſineſs to diſpatch the King, as a good Ex-'pedient.

'That he ſaw *Whitebread* Adminiſter the *Oath 'of Secrecy* to all that were then preſent at the

'Conſult,

'Conſult, *Mico* holding the Book, which was a *Maſs-Book*.

'That he was Authoriz'd to Seal Military Com-'miſſions, of which he had Seal'd ſome Hun-'dreds.

'That in *June* he went over into *Flanders*, 'to look to his Charge, as being *Provincial*; and 'there, in Diſcourſe with ſome of the Fathers, 'us'd this Expreſſion, *That he hop'd to ſee the* ——— '*at* Whitehall *laid faſt enough, and if the Brother 'ſhould appear to follow his ſteps, his Paſſport ſhould be 'made too.*

'That upon Sir *George Wakeman*'s refuſing to 'Poiſon the King for 10000*l.* He adviſ'd the ad-'ding of 5000*l.* more, and was highly pleas'd that 'he had accepted it.

Mr. *Dugdale* being Sworn, Depos'd againſt *White-bread*, 'That in a Letter from Mr. *Groves* to Mr. '*Ewers*, he ſaw one of Mr. *Whitebread*'s, to take 'none but ſtout deſperate Fellows, not matter-'ing whether they were Gentlemen, or no; 'and that they were to take away the King's 'Life.

'That he had ſeen *Whitebread* at *Harcourt*'s 'Chamber with *Le Faire*, *Pritchard* and others; 'where they fell into diſcourſe concerning Sir '*Geo. Wakeman*'s bogling at 10000*l.* and ſo agreed 'to make it up 15000*l.* to which *Whitebread* rea-'dily conſented.

Mr. *Bedloe* being Sworn, charg'd it upon *White-bread*, 'That he gave *Coleman* an Account of ſend-'ing the four *Iriſh*-men to *Windſor*.

As to *Fenwick*, it was ſworn againſt him, by Dr. *Oates*, 'That he came with him from *Dover* to *Lon-*

'*don*

'*don* in *June* was Twelvemonth, and that he, and 'one *Aſhby*, or rather *Thimbleby*, brought over In-'ſtructions from *Whitebread*, to offer Sir *George* '*Wakeman* a Summ for poiſoning the King, and 'for the filling up a Blank Commiſſion to Sir *John* '*Gage*, to be an Officer in the Army.

'That *Aſhby* being to go to the *Bath*, *Fenwick* 'advis'd him, upon his leaving that place, to take a 'turn about *Somerſet*-ſhire, and to poſſeſs the people 'there with the Matter, not doubting but that the 'Gentleman at *Whitehall* would be diſpatch'd before 'he came back.

'That *Fenwick* was with others at *Wild Houſe*, 'upon 21 of *Auguſt*, at what time there was Four-'ſcore Pound before them, upon a Table: which 'Money was for thoſe that were to kill the King at '*Windſor*; and was preſent when the Money was 'paid to the Meſſenger.

'That the ſaid *Fenwick* being at a Conſult at the '*Benedictins*, receiv'd advice from *Talbot*, out of *Ireland*, of a Deſign to kill the Duke of *Ormond*, 'deſiring Commiſſions and Money for advancing 'the Deſign. Upon which the ſaid *Fenwick* ſent 'Commiſſions to *Cheſter* by an Expreſs, and other 'Letters by the Poſt: and moreover, deliver'd the 'Witneſs Money for his neceſſary Expences, 'charging him to procure ſome *Maſſes* to be ſaid, 'for a proſperous Succeſs of the Enterprize.

Mr. *Praunce* being ſworn, Depos'd, 'That *Fen-'wick* being in diſcourſe with others at *Ireland*'s 'Chamber, was there ſaying, That there would be '50000 Men in readineſs ſo ſet up the *Catholick Re-'ligion:* and that he asking *Fenwick* what would 'become of Tradeſmen, if the buſineſs ſhould come

'to

'to a War? the ſaid *Fenwick* bid him never to fear 'a Trade, for that there would be Church-work e- 'nough for him, as Crucifixes, Images, and the like.

Mr. *Bedloe* being ſworn, Depos'd, 'That he had 'ſeen *Fenwick* both at *Whitebread*'s and *Harcourt*'s 'Chambers, when the Murther of the King was diſ- 'courſed of, and that he agreed with the reſt, and 'conſented to it.

As to *Harcourt*, Dr. *Oates* Depos'd, 'That he 'was one of thoſe that were at the great Conſult, 'and Sign'd the *Reſolve*.

'That he was preſent at the filling up of a Blank 'Commiſſion to Sir *John Gage*, to be one of the Of- 'ficers of the Army.

'That he paid the Meſſenger the Fourſcore 'Pound, which was for the four Aſſaſſinates at '*Windſor*, in his own Chamber.

Mr. *Dugdale* Depos'd againſt him, That he be- 'ing pitch'd upon to be one of the King's Murde- 'rers, was by *Harcourt* choſen to be diſpos'd of at '*London* for that purpoſe, under the Tuition of one 'Mr. *Parſons*.

'That there was a Letter written from *Paris*, 'which paſs'd through *Harcourt*'s hands, wherein 'Advice was given to the Conſpirators in *Eng-* '*land*, ſo to order the Buſineſs, that the Death 'of the King might be accounted a *Presbyterian* 'Plot, and in caſe of his Miſcarriage, to 'engage the *Proteſtants* in a Revenge upon the '*Presbyterian* Party, as guilty of the Fact. And 'after that, to go on to a Maſſacre; and thoſe that 'eſcap'd it, to be afterwards totally cut off by the 'Army.

'That

'That he had ſeen ſeveral Treaſonable Letters, ſtriking at the Life of the King, and the 'Proteſtant Religion, which the Witneſs had intercepted and read, at leaſt a hundred of them, 'all ſent from *Harcourt* to *Ewers*, under a Cover 'from *Groves*.

'That the firſt Intelligence of the Murther of 'Sir *Edmundbury Godfrey*, which they had in the 'Country was ſent from *Harcourt*, which Letter 'came to *Harcourt* on *Monday*, and bore date on '*Saturday*, upon the night of which day the ſaid 'Murther was committed, with theſe particular 'words, *This Night Sir* Edmundbury Godfrey *is* '*diſpatch'd*.

Mr. *Praunce* being ſworn, Depos'd, 'That *Har*'*court* had told him above a year before, as 'he was paying him for an Image of the Virgin '*Mary*, that there was a Plot upon the Life of the 'King.

Mr. *Bedloe* being ſworn, Depos'd, 'That he 'ſaw *Harcourt* take the Fourſcore Pound out 'of a Cabinet, and pay the Money to the Meſ'ſenger that was to carry it to the Ruffians 'at *Windſor*, giving the ſaid Meſſenger at the 'ſame time, for Expedition, a *Guiney*, as from '*Coleman*, to drink his Health.

'That the Summ of 1500 *l.* which was to 'have been *Groves* Reward for killing the King, 'was agreed upon and appointed in *Harcourt's* 'Chamber.

'That he was one of thoſe that agreed 'and conſented to the addition of 5000 *l.* to 'the firſt 10000 *l.* to be given to Sir *George* '*Wakeman*.

'That

'That he was very well acquainted with the 'Witneſſes bringing over divers Pacquets and 'Portmantles from beyond the Seas, of which he had 'brought over ſeveral for himſelf.

'That he had brought him ſeveral Letters from '*Wotton*, *St. Omers*, *Bruges*, *Paris*, *Valladolid*, and '*Salamanca*, all of them for carrying on the 'Plot of changing the Religion of *England*, and 'overturning the Government, what Men, what 'Money in readineſs, and what more expected. 'That the Contributions and Account lay generally 'in *Harcourt*'s hands, and that he had carri'd ſe-'veral Papers from *Harcourt* to *Langhorn* concern-'ing the ſame matter.

The ſaid Witneſs farther Depos'd, 'That he car-'ri'd a Conſult to St. *Omers* from Mr. *Coleman*, to 'whom *Harcourt* went with him, and that in that 'Conſult was the main of the Deſign; and laſtly, 'That he ſaw *Harcourt* give Sir *George Wakeman* a 'Bill upon ſome certain Citizen for 2000 *l.* telling 'him at the ſame time, that it was in part of a 'greater Sum.

As to *Gavan*, Doctor *Oates* Depos'd, 'That he 'ſaw his Name to the *Reſolve*, though he could 'not Swear he was at the Conſult of the 24*th* of '*April*.

'That he gave an account from time to time 'of the Affairs of *Stafford*-ſhire and *Shrop*-ſhire, 'relating to the Plot; and that coming to *London*, 'he gave the ſame account to *Ireland* in his 'own Chamber, and talk'd of Two or Three 'Thouſand Pound that would be ready for the 'Deſign.

Mr. *Dugdale* Depos'd againſt *Gavan*, 'That it 'was he who engag'd the Witneſs in the Plot upon 'the Life of the King, and often perſuaded and en-'courag'd him to it.

'That at *Ewers*'s and the Witneſſes Chamber, 'at *Boſcobell* and other places, ſeveral Conſul-'tations had been had about the Death of the 'King, and bringing in of Popery. Wherein 'Mr. *Gavan* was always a great Man, ha-'ving a good Tongue and the Faculty of mo-'ving the People.

'That at the ſame Conſultations he had heard 'the Maſſacre often diſcours'd of. And that *Ga-'van* ſhould ſay, That though they were but in 'a low Condition themſelves, yet they would 'have Men and Money enough to ſpare for ſuch a 'Deſign.

'That the ſaid *Gavan* had many times en-'deavour'd to convince the Witneſs of the Law-'fulneſs, if not the Merit of killing any per-'ſon whatſoever for the advancement of their Re-'ligion.

As to *Turner*, it was ſworn by Dr. *Oates*, 'That 'he was at the Conſult at *Fenwick*'s Chamber, and 'Sign'd the *Reſolve*.

Mr. *Dugdale* alſo Depos'd, 'That *Ewers* had told 'him by word of mouth, That *Turner* was to carry 'on the Deſign in *Worceſter*-ſhire.

'That the ſaid *Turner* had met with *Ewers*, *Le-'veſon* and others in ſeveral places, and had in every 'one of them given his conſent to, and aſſiſted 'with his Counſel in the carrying on of the Grand 'Deſign of killing the King and Introducing of 'Popery.

This

This was the main of the Evidence for the King.

The main Defence of the Priſoners lay in ſeeking to invalidate the Teſtimoney of the Witneſſes. And indeed they thought they had done their buſineſs, by calling over to their aſſiſtance a cluſter of Birds of their own Feather; a crue of young Seminarians, nurtur'd up at St. *Omers* in all their own Principles, and Leſſons of Equivocation, and Jeſuitical Tongue-Jugling, and Religious Velitation. Theſe were the *Emets* of *Tunquin*, that were in one hour to eat down the Pillars of the King's Evidence, by proving, That Doctor *Oates* was at St. *Omers* upon the 24th of *April*; and ſo not being ubiquitary he could not be at the ſame time at the *White Horſe* in the *Strand*: and then the Plot had vaniſh'd, the Witneſſes had been meer Accuſers, that is to ſay, *Diaboli* indeed; and they had been as Innocent as the Children unborn.

This flexible Flock were very punctual to their time, and laid their Allegations home enough; nay ſome of them were ſo poſitive, that they affirm'd, That Dr. *Oates* never lay but two Nights out of the Colledge, from *December* till the middle of *June*. So that when the Cloud that rain'd upon the King's Evidence came to be diſſipated by the warm Teſtimony of Sir *Richard Barker*, Mr. *Walker*, and Mr. *Smith*, all Scholars and Men of unbyaſs'd Repute, and ſeveral others, though of meaner Quality, yet of honeſt Reputation; it was a thing that could not be a little admir'd, to ſee the

Effects of blind Popiſh Education: that ſo many young Declaimers ſhould make ſuch an early venture of their Credit, as to out-brazen Truth it ſelf, in a matter, which upon the manifeſt Contradictions of their Affirmatives, it appear'd, could not be unknown to themſelves. There is but one Conſideration that pleads for them, That as they were under Diſcipline, they durſt not but Swear in *verba Magiſtri*: well knowing what Entertainment they were to expect at their return, if they did not ſtand faſt to their tackling. Their Maſters knew no better means then to oppoſe blind Zeal againſt blind Juſtice. Having arm'd deluded Youth with all the promis'd Rewards, that could on their ſupporting attend the weak Cauſe of their Ghoſtly Fathers in the Clutches of the Law, by any irregularity of miſ-guided Conſcience whatſoever.

Thus then ſtood the Ballance of the Evidence, as to the Defence of the Priſoners on both ſides. Some affirm'd, That they were not in Town, but in ſuch and ſuch places in the Country at the times they were ſworn to be in *London*, and conſequently could not be guilty of Crimes ſaid to be committed in the place where they were not at that time, as the home-Friends of the Priſoners alledged. Others, and thoſe the St. *Omer*'s Youths, affirm'd, That Doctor *Oates* was at the Colledge of St. *Omers* all *April* and *May*, and in all that time they ſaw him conſtantly there, ſaving onely one Night that he lay forth. And that Sir *John Warner* and Sir *Thomas Preſton* did not come into

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England with the Doctor, as he had ſworn, for that they were daily ſeen in or near the places of their Reſidence all *April* and *May*, whereby they ſurely thought they had ſubverted the Doctor's Evidence.

On the other ſide, the Witneſſes for the King poſitively ſwore, That they did ſee the Doctor in Town either in the beginning of *May*, or the latter end of *April*, and that they knew him and ſpake with him in his Diſguiſes.

Whitebread's Plea was, That having urg'd Doctor *Oates* at the laſt Tryal, to name any one that he had ſeen in Town, he could name no body. And ſo likewiſe afterwards, at the Committee he averr'd, That the Priſoner lay privately at *Groves*'s, when he never lay there at all: and then again, he had been poſitive, that he ſtaid here but ſix days, and ſaw little Company. Another Contradiction, for that the Evidence had affirm'd, That in the end of *March*, or the middle of *April*, he ſaw him here, whereas Doctor *Oates* himſelf had declar'd, that he croſs'd the Sea with *Hilſley* the 17th of *April*. So then if he landed in *England* the 17th of *April*, and continu'd here good part of *May*, how could it be that he ſtaid in *England* but ſix days. But to this the Court gave anſwer, That the preciſe day was not ſo punctually ſworn to; ſo that Doctor *Oates* might be ſeen here the latter end of *April* and the beginning of *May*, and yet his Teſtimony ſtand good.

Fenwick desir'd the Court and the Jury to scan the Evidence on both sides: and to consider that the one spake to the whole time, upon a daily Conversation, and the other onely to this or that day; or of seeing Doctor *Oates* in a Disguise. On the one side, so many young Gentlemen virtuously Educated; on the other, a needy sort of people that sought to mend their Fortunes by their Swearing. So that his Testimony was false as to Sir *John Warner*, *Williams*, and Sir *Thomas Preston*. Or if the Evidence might be concluded equal, what was the main support of his Evidence? several Letters, as he pretended from Mr. *Whitebread*; which, if it were true, the Prisoners deserv'd to be hang'd for Fools, as well as for Knaves, for trusting a person they never had any esteem for, and one whom the Colledge had expell'd.

As for the Commissions and Letters he spoke of, it was a wonder, that almost a year after the making of the Discovery, and thousands of Letters seiz'd, not one Commission should yet appear; not one Penny of Money, nor any Order for it; no Arms found, nor out of all those Letters, any thing discover'd toward the Design. And for all the Writings Sign'd, which he had sworn to be hundreds, not one single Paper to be produc'd in confirmation of it. Upon which he concluded, There was no rational Proof among them all, but *Saying* and *Swearing*; and that was that he would stand by.

Harcourt declar'd, That he was then in the Seventieth Year of his Age, yet never in his

his whole Life had been accus'd before a Magiſtrate before. But that it was impoſſible to prove a Negative ; and that there was no other Evidence againſt him, but downright Swearing.

Gawen offer'd to the Court, That it was neither prov'd that he was at the Conſult, neither was he capable of it ; appealing to *Harcourt*, and the reſt, Whether he were there, or no ? and denying it upon the words of a dying man.

As to his Name being to the Reſolve, which was laid in *July*, he had prov'd himſelf to be in *Stafford*-ſhire the laſt week of that Month.

He farther mov'd, Whether being accus'd by one Witneſs for a Fact committed in *London*, and by another, for a Crime in *Stafford*-ſhire, thoſe two Witneſſes could go for two Witneſſes in Law ? But as to that he was overrul'd, as being a Queſtion already reſolv'd in the Caſe of Sir *Henry Vane*, againſt whom diſtinct Witneſſes prov'd diſtinct Facts committed in ſeveral Countries, yet being all overt Acts of one and the ſame Treaſon, the Evidence was adjudg'd to be good.

His ſecond Plea was grounded upon the Circumſtances of credible Witneſſes, and clear Evidence, but that in his Caſe there was neither the one nor the other ; and therefore he ought not to be Convicted by ſuch Witneſſes, nor ſuch Evidence. In Anſwer to which, the Court inform'd him, That they were lawful Witneſſes, becauſe not convict of any Crime that might deſtroy their Teſtimony : And for their

Credit, that was in the breaſt of the Jury to judge of.

Turner's Plea was only a bare Queſtion, Whether it were reaſonable to admit thoſe people to an Oath in Evidence, who for Scandal had been debarr'd the Sacrament, as he undertook to prove by one *Haſtings*, but he being call'd, and not appearing, the Court proceeded to give Directions to the Jury, wherein the Evidence was ſo fully juſtifi'd, and all their Objections ſo clearly anſwer'd, that the Jury, after they had withdrawn, made no long ſtay to ſatisfie themſelves, but after a quarter of an hour's conſideration, brought them in all Guilty of the High Treaſon whereof they ſtood indicted. Upon which they were remanded to *Newgate*.

The Names of the Jury, not to be omitted for their ſober and judicious Verdict, were,

Tho. Harriot,
Will. Gulſton,
Allen Garroway,
Rich. Cheney,
John Roberts,
Tho. Caſh,
Rainsford Waterhouſe,
Matthew Bateman,
John Kaine,
Rich. White,
Rich. Bull, and
Tho. Cox, Gent.

This *White*, *alias Whitebread*, had been formerly a ſtrange *Proteus* in Religion, and had rambled about the World in ſeveral *Metamorphoſes*, in ſearch of a good Eſtabliſhment for this World. For about twenty years ſince, he went to *Oxford*, under the pretence of being a *Jew*, converted by ſome Eminent Divine of the *Presbyterian* way in *London*. But there he pretended a far-

a farther Light, by joyning with, and at ſeveral Churches hearing the Sermons of Dr. *Thomas Goodwin*, Dr. *Owen*, and ſome others, the Heads of the Independent or Congregational way. After that, as being ſtedfaſt to nothing, or rather miſſing his chief aim, *Emolument*, he fell to the *Anabaptiſts*, and from them to the *Quakers*, a proper Sect for them that have the true Art of Diſſimulation, among whom he challeng'd Dr. *Owen*, and ſome others, in a Letter written in ſeveral Languages, and that ſo learnedly, that it was deem'd worthy the Conſideration of the Convocation, by whom he was cenſur'd as a *Jeſuit*, or ſome other of the beſt ſort of Popiſh Education, and thereupon impriſon'd in the Caſtle Priſon in *Oxford*, where he pretended diſtraction, and acted the Madman ſo rarely to the life, that in few days ſome Friends of his procur'd his liberty. He was ſeen ſeveral times running up and down the Streets, with his Hat under his Arm, full of Stones, throwing at every ſmall Bird he ſaw. But e're long he was met by a Miniſter of the Church of *England*, at the Houſe of a *Roman Catholick*, who there heard him Diſcourſe ſo gravely, learnedly, and diſcreetly, that he got not onely into an acquaintance but familiarity with him; inſomuch that this Gentleman being of *Maudlin Colledge*, he there gave him ſeveral Viſits in ſeveral Diſguiſes. But at length, being again ſuſpected, and in danger of being apprehended, he ſtole away privately for *London*. To which place buſineſs calling the ſame Gentle-

Gentleman, about ſix Months after, he was no ſooner come to Town, but he had notice of a famous Preacher among the *Quakers*, near *Charing-Croſs*; and the ſame day he met *Whitebread*, the great man of Fame, going to ſpeak in an old faſhion pink'd Fuſtian Jerkin, clouted Shoes, his Breeches fac'd with Leather, and a Carter's Whip in his hand, in that Garb altogether diſguiz'd from his knowledge: however he knew the Gentleman, and ſpake to him, and ſo they renew'd their acquaintance. For that time however they took leave, and he went forward upon his intended work, but the next day he came to the Gentleman's Quarters in the neat habit of a *London* Miniſter, and carried him to his own Lodging within the Precincts of the *Middle-Temple*, where he gave the Gentleman a handſom Entertainment, and a ſight of the ſeveral odd Habits in which he diſguiz'd himſelf to the ſeveral ſorts of people into whoſe good Opinion he had inſinuated himſelf. There the Gentleman ſaw his Orders from *Rome*, and an Inſtrument wherein he was aſſur'd of, and had Orders to receive of certain Merchants in Town, a Hundred Pound *per Annum*, beſides a yearly Penſion of Eighty Pound from his Father. He pretended to this Gentleman, that he was born at *Wittenbergh*, and that his Father's Name was *John White*, and in the Writing he himſelf was ſtil'd *Johannes de Albis* by the Court of *Rome*. He was both Jeſuit and Prieſt in Orders, for that to the ſame Gentleman's knowledge

ledge he celebrated Maſs in one Houſe in *Southwark* to more then Forty; after which, upon the ſame day he viſited ſeveral Presbyterians and others. The ſame Gentleman continu'd in his Company for about a Month, till he was apprehended, and by ſpecial Order from the Protector impriſon'd in the Tower of *London*, where he lay above ſix Months. No wonder then, that he ſtook cloſeſt to the Romiſh Church, for ſhe it ſeems was his beſt friend, and gave him the faireſt Allowance: what ſignifi'd a little Impriſonment for her ſake, who gave him a hundred pound a year to ſupport him in his tribulation?

The next day Mr. *Langhorn* was brought to his Tryal at the ſame Bar. A Councellor at Law, and one who got his bread by that very Law which he was plotting to ſubvert. An imprudent piece of Ingratitude, to forego the Law of his Country, which afforded him a ſubſtantial Employment, to catch at the ſhadow of a Judge Advocate Generals place in treaſonable Hopes.

The general ſum of his Charge was High Treaſon, for conſpiring the Death of the King, and endeavouring an Alteration both in Church and State. The particular Charge againſt him was, 'That in order to the accompliſhing, as much as in 'him lay, theſe deſigns of his, he had wrote two 'Letters to be ſent to *Rome*, and St. *Omers*, to 'procure aid from the Pope and the French King, 'on purpoſe to introduce a change of the Religi-'on by Law eſtabliſh'd in the Kingdom, and to ſet 'up the Romiſh Religion in the ſtead thereof.

'That

'That he had wrote two other Letters to one '*Anderton*, Rector of the Engliſh Colledge of Je-'ſuites at *Rome*, and two others to be ſent to 'St. *Omers*, wherein he undertook to adviſe the 'means and ways by which the ſucceſs of thoſe 'Treaſons might be made to anſwer their expe-'ctations.

'That he had received ſeveral Commiſſions in 'writing, tranſmitted to him by an Authority 'that deriv'd it ſelf from the See of *Rome*; which 'Commiſſions were for conſtituting Military Of-'ficers to command in an Army which was to ef-'fect their Treaſons by force.

'That he was privy to all the Conſultations of 'the reſt of the Conſpirators for carrying on the 'grand deſign, and that he had ſollicited the Be-'nedictine Monks for 6000 *l.* for the ſame purpoſe, 'and had notice from time to time of the Treaſons 'and Conſpiracy's of the Confederates.

To make Good this Charge Mr. *Dugdall* and Mr. *Praunce* were both ſworn to give a ſhort evidence of the reality of the Deſign in general. Which being done Dr. *Oates* was ſworn to particulars, who thereupon depos'd, 'That upon his re-'turn out of *Spain* in *November* 1677. he brought 'Letters from Mr. *Langhorn*'s ſons, the one in the 'Jeſuites Colledge at *Madrid*, the other at *Valla-'dolid*, and that when the Witneſs told him that 'he believ'd his Sons would both enter into the 'Society, Mr. *Langhorn* ſhew'd himſelf not a lit-'tle pleas'd, ſaying that by ſo doing they might 'quickly come to preferment in *England*, for that 'matters would not hold long in *England* as they 'were.

'That

'That upon his return to St. *Omers* he carry'd 'two Letters written by Mr. *Langhorn*, one to 'the Fathers, another to Mr. *Le Cheese* the King 'of *France's* Confessor, as Mr. *Langhorn* expres-'sed himself, *in order to our Affairs in* England, 'and to the same effect as Mr. *Coleman* had wrote 'to him before.

'That not long after he wrote another Letter 'to the Fathers, expressing his wonderful zeal for 'the Catholic Design, declaring moreover that the 'Parliament began to cool in the business of the 'Protestant Religion, and that therefore, spea-'king of the present Opportunity, *Now was the* '*time to give the Blow.*

'That though he were not at the Consults, yet 'that the Witness was order'd to give him an ac-'count from time to time; and that upon a plea-'sing report made by the Witness, Mr. *Langhorn*, 'with Hands and Eyes lifted up to Heaven, *Pray'd* '*God to prosper them.*

'That the Report of the Witness was, *That the* '*Death of the King was resolv'd upon, and that* 'Grove *and* Pickering *were chosen out for the Execu-*'*tion of the Result.*

'That at the same time several Parchments were 'lying upon Mr. *Langhorn's* Study-Table, which 'he found to be Commissions for the Lords, *Arun-*'*del* of *Wardour*, *Powis*, *Bellasis*, and *Petre*, to 'be *Chancellor*, *Treasurer*, *General* and *Lieutenant* '*General.* Another for *Coleman* to be *Secretary* '*of State*, and another for himself to be *Judge* '*Advocate of the Army*; all which had the Je-'suites Cross upon them, and were sign'd *Paulus* '*D'Oliva.*

That

'That he ſaw the Anſwer of *Le Cheeſe* and *Anderton* to Mr. *Langhorns* Letters, wherein they 'aſſur'd the Fathers of their firmneſs to the Engliſh Society, and that the French King would 'certainly aſſiſt them for carrying on the work.

'That Mr. *Langhorn*, being the Jeſuites Sollicitor, went with *Harcourt*, *Fenwick*, *Keines*, and '*Langworth*, to the *Benedictine* Monks, to deſire 'their Aid toward the Work.

'That being told that Sir *George Wakeman* refus'd 10000 *l.* for poyſoning the King, he made 'Anſwer, *That it was a public work, and a Body 'would have done it for nothing, but that he was a 'Covetous and narrow Soul'd Man.*

Mr. *Bedlow* being ſworn, depoſed, 'That he 'was entruſted with certain Letters from Mr. *Coleman* to *Le Cheeſe*; but that firſt Mr. *Coleman* carry'd the Witneſs to Mr. *Langhorn's* Chamber, who 'there enter'd the ſaid Letters; the ſcope of 'which, was to inform *Le Cheeſe*, that he wanted 'nothing but Money to accompliſh the Work, and 'to learn what ſupplies they might expect from '*France.*

'That at another time he carry'd to Mr. *Langhorn* another Pacquet containing ſeveral Letters 'to be by him regiſter'd, being ſent to him for that 'purpoſe by Mr. *Harcourt.*

'That he tranſcrib'd three Letters, one to Father *Anderton*, the other to the Pope's Nuntio, and 'a third to *Le Cheeſe*, wherein were theſe expreſſions; *That the Arms and Hearts of the Catholics 'were all ready, and that conſidering the Eaſineſs of 'the King of* England, *and the Strength of the Power 'of* France, *the Opportunity was by no means to be 'neglected.*

Mr.

Mr. *Langhorn* offer'd to the Court that the two Witneſſes againſt him were Parties to the Crime which was laid to his Charge, and therefore he deſir'd to know whither they had their pardons or no? Which though it were ſufficiently made out, yet the Court for the priſoners further ſatisfaction declar'd, that whether they had or had not, they were nevertheleſs good Witneſſes, or elſe they ſhould not have been admitted.

Upon which another Queſtion was ſtarted by the Priſoner, Whether having had their pardons they might not fall under the ſame proſpect in Law with an Approver, not as being approvers, but as under ſome Equivalence of reaſon with them. From whence he would have drawn this Conſequence, That if the Approver be pardon'd, the *Appellee* ought to be diſcharg'd.

To this the Court made Anſwer, That an Approver was ever allow'd maintenance, and that there ought to be a proof of Corrupt, Contract or Subornation, to invalidate a Teſtimony.

This failing he deſir'd to know, whether they had ever receiv'd, or whether they did not expect Gratifications, and Rewards, for their diſcoveries.

In Anſwer to which Dr. *Oates* declar'd, That he was ſo far from having receiv'd a Reward, that he was a very large ſum of Money out of pocket, which he knew not whether he ſhould ever receive again or no.

The

The Priſoner urg'd that Mr. *Reading* had told him that Mr. *Bedlow* had receiv'd Five hundred pound. But the Court inform'd him that that was not upon account of the Plot, but for the diſcovery of the Murtherers of Sir *Edmund-Bury Godfrey*.

Theſe little paſſes being all put by, and finding himſelf ready to ſink, he catches hold of the Saint *Omers* twigs, and flyes to the allegations of a ſhoal of young boys already baffl'd by the Verdict of a former Jury. The Court however, ſince he depended upon it, and deſir'd it, could not avoid the trouble of a reexamination of the ſame teſtimonies which had been heard the day before.

For the Priſoners ſatiſaction therefore they were all examin'd over again, and the ſame Evidence oppos'd againſt them on the King's behalf as had been at firſt. But this ſecond attempt of thoſe forward ſtriplings, rather made a farther diſplay of the ſevere injunctions of their Superiors then otherwiſe, and prov'd rather to the prejudice of him that call'd them then to his advantage. For their Teſtimony ſtill continu'd ſo ſtarch'd, ſo ſtraight lac'd, ſo fix'd to the Months of *April* and *May*, that when they were demanded any Queſtions concerning any other Months, they ſeem'd as if they had not receiv'd Inſtructions to Anſwer them. Nay ſome of them were ſo confident as to ſay that *April* and *May* were onely the Months in diſpute, and that they were not to Anſwer any farther. Which ſo clearly evinc'd both the Court and the Jury that they came from School with a conn'd Leſ-

ſon in their Mouths, that ſome perſons of judgment did believe their Superiors might have ſpar'd them ſo much loſs of time.

This ſcene being over, and the Priſoner being call'd upon to ſpeak for himſelf, he did nothing elſe, but like a bad Logician, *petere Principium*; and taking it for granted that the young Lads of St. *Omers* had ſpoken Truth, which was never granted, but rather credibly evinc'd by ſeveral Oaths to the contrary, would have thence infer'd, that Dr. *Oate's* had given in a falſe Evidence, and for that reaſon was not to be regarded.

As to Mr. *Bedlows* Evidence, he offer'd that it ought to be conſider'd, That there was no proving a Negative; Secondly, That he never had had any acquaintance with him, nor could ſay that ever he ſaw him before that day in his life. And therefore that it was not probable, had he been guilty, that he would ever have truſted him with a privacy of ſuch a nature.

Having made ſo weak a defence, he could expect no other then to be found guilty, which was done after a very ſhort conſideration of the Jury.

Thereupon, the five Priſoners caſt the day before, were all brought to the Bar, and receiv'd Sentence all together, *To be Drawn, Hang'd and Quarter'd.*

Upon the 21 of this Month *Whitebread*, *Harcourt*, *Fenwick*, *Gawen* and *Turner*, were Drawn on three ſeveral Sledges from *Newgate* to *Tyburn*, and there Hang'd, Drawn and Quarter'd according to their Sentence. *Langhorn* being repriev'd for longer time.

How they liv'd appears by the Crimes for which

they dy'd: how they dy'd may appear by their blaſphemous Juſtifications of thoſe Crimes, for which they were ſo fairly Condemn'd. Of which that the World may be convinc'd, let all impartial judges but compare their Speeches with the Obſervations that have been made upon them.

The Speeches.

I Suppoſe it is expected I ſhould ſpeak ſomething to the matter I am condemned for, and brought hither to ſuffer, it is no leſs than the contriving and plotting His Majeſty's Death, and the alteration of the Government of the Church and State; you all either know, or ought to know, I am to make my appearance before the Face of Almighty God, and with all imaginable certainty and evidence to receive a final Judgment, for all the thoughts, words, and actions of my whole life: So that I am not now upon terms to ſpeak other than truth, and therefore in his moſt Holy Preſence, and as I hope for Mercy from his Divine Majeſty, I do declare to you here preſent, and to the whole World, that I go out of the World as innocent, and as free from any guilt of theſe things laid to my charge in this matter, as I came into the World from my Mother's Womb; and that I do renounce from my heart all manner of Pardons, Abſolutions, Diſpenſations for Swearing, as occaſions or Intereſt may ſeem to require, which ſome have been pleaſed to lay to our charge as matter of our Practice and Doctrine, but is a thing ſo unjuſtifiable and unlawful, that I believe, and ever did, that no power on

Earth

Earth can authorize me, or any body ſo to do; and for thoſe who have ſo falſly accuſed me (as time, either in this World, or in the next, will make appear) I do heartily forgive them, and beg of God to grant them his holy Grace, that they may repent their unjuſt proceedings againſt me, otherwiſe they will in concluſion find they have done themſelves more wrong than I have ſuffered from them, though that has been a great deal. I pray God bleſs His Majeſty both Temporal and Eternal, which has been my dayly Prayers for him, and is all the harm that I ever intended or imagined againſt him. And I do with this my laſt breath in the ſight of God declare, that I never did learn, teach, or believe, that it is lawful upon any occaſion or pretence whatſoever, to deſign or contrive the Death of His Majeſty, or any hurt to his Perſon; but on the contrary, all are bound to obey, defend, and preſerve his Sacred Perſon, to the utmoſt of their power. And I do moreover declare, that this is the true and plain ſence of my Soul in the ſight of him who knows the Secrets of my Heart, and as I hope to ſee his bleſſed Face, without any Equivocation, or mental Reſervation. This is all I have to ſay concerning the matter of my Condemnation, that which remains for me now to do, is to recommend my Soul into the hands of my bleſſed Redeemer, by whoſe only Merits and Paſſion I hope for Salvation.

White.

THE words of dying persons have been always esteem'd as of greatest Authority, because uttered then, when shortly after they were to be cited before the high Tribunal of Almighty God, this gives me hopes that mine may be look'd upon as such, therefore I do here declare in the presence of Almighty God, and the whole Court of Heaven, and this numerous Assembly, that as I ever hope (by the Merits and Passion of my sweet Saviour Jesus Christ) for Eternal Bliss, I am as innocent as the Child unborn of any thing laid to my charge, and for which I am here to dye, and I do utterly abhor and detest that abominable false Doctrine laid to our charge, that we can have Licenses to commit perjury, or any Sin to advantage our cause, being expresly against the Doctrine of St. *Paul*, saying, *Non sunt facienda mala, ut eveniant bona*; Evil is not to be done that good may come thereof. And therefore we hold it in all cases unlawful to kill or murder any person whatsoever, much more our lawful King now Reigning, whose personal and temporal Dominions we are ready to defend against any Opponent whatsoever, none excepted. I forgive all that have contriv'd my Death, and humbly beg pardon of Almighty God. I also pardon all the World. I pray God bless His Majesty, and grant him a prosperous Reign. The like I wish to his Royal Consort the best of Queens. I humbly beg the Prayers of all those of the *Roman* Church, if any such be present.

Harcourt.

Dearly

DEarly beloved Country-men, I am come now to the laſt Scene of Mortality, to the hour of my Death, an hour which is the Horizon between Time and Eternity, an hour which muſt either make me a Star to ſhine for ever in the *Empyreum* above, or a Firebrand to burn everlaſtingly amongſt the damned Souls in Hell below; an hour in which if I deal ſincerely, and with a hearty ſorrow acknowledge my crimes, I may hope for mercy; but if I falſly deny them, I muſt expect nothing but Eternal Damnation; and therefore what I ſhall ſay in this great hour, I hope you will believe. And now in this hour I do ſolemnly ſwear, proteſt, and vow, by all that is Sacred in Heaven and on Earth, and as I hope to ſee the Face of God in Glory, that I am as innocent as the Child unborn of thoſe treaſonable Crimes, which Mr. *Oates* and Mr. *Dugdale* have Sworn againſt me in my Tryal, and for which, ſentence of Death was pronounced againſt me the day after my Tryal; and that you may be aſſured that what I ſay is true, I do in the like manner proteſt, vow and ſwear, as I hope to ſee the face of God in Glory, that I do not in what I ſay unto you, make uſe of any Equivocation, mental Reſervation, and material Prolocution, or any ſuch ways to palliate Truth. Neither do I make uſe of any diſpenſations from the Pope, or any body elſe; or of any Oath of ſecrecy, or any abſolution in Confeſſion or out of Confeſſion to deny the truth, but I ſpeak in the plain ſence which the words bear; and if I do not ſpeak in the plain ſence which the words bear, or if I do ſpeak in any other terms to palliate, hide, or deny the Truth, I wiſh

with all my Soul that God may exclude me from his Heavenly Glory, and condemn me to the loweſt place of Hell Fire: and ſo much to that point.

And now, dear Country-men, in the ſecond place, I do confeſs and own to the whole World that I am a Roman Catholic, and a Prieſt, and one of that ſort of Prieſts which you call *Jeſuits*; and now becauſe they are ſo falſly charged for holding King-killing Doctrine, I think it my duty to proteſt to you with my laſt dying words, that neither I in particular, nor the *Jeſuits* in general, hold any ſuch opinion, but utterly abhor and deteſt it; and I aſſure you, that among the multitude of Authors, which among the *Jeſuits* have printed Philoſophy, Divinity, Caſes or Sermons, there is not one to the beſt of my knowledge that allows of King-killing Doctrine, or holds this poſition, That it is lawful for a private perſon to kill a King, although an Heretic, although a Pagan, although a Tyrant, there is, I ſay, not one *Jeſuit* that holds this, except *Mariana*, the *Spaniſh* Ieſuit, and he defends it not abſolutely, but only problematically, for which his Book was called in again, and the Opinions expugned and ſentenced. And is it not a ſad thing, that for the raſhneſs of one ſingle Man, whilſt the reſt cry out againſt him, and hold the contrary, that a whole Religious Order ſhould be ſentenc'd? But I have not time to diſcuſs this point at large, and therefore I refer you all to a Royal Author, I mean the wiſe and victorious King *Henry* the Fourth of *France*, the Royal Grandfather of our preſent gracious King, in a publick Oration which he pronounced himſelf in

defence

defence of the *Jeſuits*, ſaid, that he was very well ſatisfied with the *Jeſuit*'s Doctrine concerning Kings, as believing it conformable to what the beſt Doctors of the Church have taught. But why do I relate the teſtimony of one particular Prince, when the whole Catholic World is the *Jeſuits* Advocate? For to them chiefly *Germany*, *France*, *Italy*, *Spain* and *Flanders*, truſt the Education of their Youth, and to them in a great proportion, they truſt their own Souls to be governed in the Sacraments. And can you imagin ſo many great Kings and Princes, and ſo many wiſe States ſhould do or permit this to be done in their Kingdoms, if the *Jeſuits* were men of ſuch damnable principles as they are now taken for in *England?*

In the third place, dear Country-men, I do atteſt, that as I never in my life did machine, or contrive either the Depoſition or Death of the King, ſo now I do heartily deſire of God to grant him a quiet and happy Reign upon Earth, and an Everlaſting Crown in Heaven. For the Judges alſo, and the Jury, and all thoſe that were any ways concern'd, either in my Tryal, Accuſation, or Condemnation, I do humbly ask of God, both Temporal and Eternal happineſs. And as for Mr. *Oates* and Mr. *Dugdale*, whom I call God to witneſs, by falſe Oaths have brought me to this untimely end, I heartily forgive them, becauſe God commands me ſo to do; and I beg of God for his infinite Mercy to grant them true Sorrow and Repentance in this World, that they be capable of Eternal happineſs in the next. And ſo having diſcharged my Duty towards my ſelf, and my

own Innocence towards my Order, and its Doctrine to my Neighbour and the World, I have nothing elſe to do now, my great God, but to caſt my ſelf into the Arms of your Mercy, as firmly as I judge that I my ſelf am, as certainly as I believe you are One Divine Eſſence and Three Divine Perſons, and in the Second Perſon of your Trinity you became Man to redeem me; I alſo believe you are an Eternal Rewarder of Good, and Chaſtiſer of Bad. In fine, I believe all you have reveal'd for your own infinite Veracity; I hope in you above all things, for your infinite Fidelity; and I love you above all things, for your infinite Beauty and Goodneſs; and I am heartily ſorry that ever I offended ſo great a God with my whole heart: I am contented to undergo an ignominious Death for the love of you, my dear Jeſu, ſeeing you have been pleaſed to undergo an ignominious Death for the love of me.

Gawen.

BEing now, good People, very near my End, and ſummon'd by a violent Death to appear before God's Tribunal, there to render an account of all my thoughts, words, and actions, before a juſt Judge, I am bound in Conſcience to declare upon Oath my Innocence from the horrid Crime of Treaſon, with which I am falſely accuſed: And I eſteem it a Duty I owe to Chriſtian Charity, to publiſh to the World before my death all that I know in this point, concerning thoſe Catholics I have converſed with ſince the firſt noiſe of the Plot, deſiring from the very bottom of my heart, that the whole Truth may appear, that Innocence

nocence may be clear'd, to the great Glory of God, and the Peace and Welfare of the King and Country. As for my ſelf, I call God to witneſs, that I was never in my whole life at any Conſult or Meeting of the *Jeſuits*, where any Oath of Secrecy was taken, or the Sacrament, as a Bond of Secrecy, either by me or any one of them, to conceal any Plot againſt His Sacred Majeſty; nor was I ever preſent at any Meeting or Conſult of theirs, where any Propoſal was made, or Reſolve taken or ſigned, either by me or any of them, for taking away the Life of our Dread Soveraign; an Impiety of ſuch a nature, that had I been preſent at any ſuch Meeting, I ſhould have been bound by the Laws of God, and by the Principles of my Religion, (and by God's Grace would have acted accordingly) to have diſcovered ſuch a devilliſh Treaſon to the Civil Magiſtrate, to the end they might have been brought to condign puniſhment. I was ſo far, good People, from being in *September* laſt at a Conſult of the *Jeſuits* at *Tixall*, in Mr. *Ewer*'s Chamber, that I vow to God, as I hope for Salvation, I never was ſo much as once that year at *Tixall*, my Lord *Aſton*'s Houſe. 'Tis true, I was at the Congregation of the *Jeſuits* held on the 24*th* of *April* was twelve-month, but in that Meeting, as I hope to be ſaved, we meddled not with State-Affairs, but only treated about the Governours of the Province, which is uſually done by us, without offence to temporal Princes, every third Year all the World over. I am, good People, as free from the Treaſon I am accuſed of, as the Child that is unborn, and being innocent I never accuſed my ſelf in Confeſſion of any thing that I am charged with.

Which

Which certainly, if I had been conſcious to my ſelf of any Guilt in this kind, I ſhould not ſo frankly and freely, as I did, of my own accord, preſented my ſelf before the King's Moſt Honorable Privy Council. As for thoſe Catholics, which I have converſed with ſince the noiſe of the Plot, I proteſt before God, in the words of a dying Man, that I never heard any one of them, neither Prieſt nor Layman, expreſs to me the leaſt knowledge of any Plot, that was then on foot amongſt the Catholics, againſt the King's Moſt Excellent Majeſty, for the advancing the Catholic Religion. I dye a *Roman* Catholic, and humbly beg the Prayers of ſuch for my happy paſſage into a better Life: I have been of that Religion above Thirty Years, and now give God Almighty infinite thanks for calling me by his holy Grace to the knowledge of this Truth, notwithſtanding the prejudice of my former Education. God of his infinite Goodneſs bleſs the King, and all the Royal Family, and grant His Majeſty a proſperous Reign here, and a Crown of Glory hereafter. God in his mercy forgive all thoſe which have falſly accuſed me, or have had any hand in my Death; I forgive them from the bottom of my heart, as I hope my ſelf for forgiveneſs at the Hands of God.

O *GOD who hath created me to a ſupernatural end, to ſerve thee in this life by grace, and injoy thee in the next by glory, be pleaſed to grant by the merits of thy bitter death and paſſion, that after this wretched life ſhall be ended, I may not fail*

of

*of a full injoyment of thee my last end and soveraign good. I humbly beg pardon for all the sins which I have committed against thy Divine Majesty, since the first Instance I came to the use of reason to this very time; I am heartily sorry from the very bottom of my heart for having offended thee so good, so powerful, so wise, and so just a God, * and purpose by the help of thy grace, never more to offend thee my good God, whom I love above all things.*

* Fairly promis'd when he was going to be hang'd.

O sweet Jesus, who hath suffer'd a most painful and ignominious Death upon the Cross for our Salvation, apply, I beseech thee, unto me the merits of thy Sacred Passion, and sanctifie unto me these sufferings of mine, which I humbly accept of for thy sake in union of the sufferings of thy sacred Majesty, and in punishment and satisfaction of my sins.

O my dear Saviour and Redeemer, I return thee immortal thanks for all thou hast pleased to do for me in the whole course of my life, and now in the hour of my death, with a firm belief of all things thou hast revealed, and a steadfast hope of obtaining everlasting bliss. I chearfully cast my self into the Arms of thy Mercy, whose Arms were stretched on the Cross for my Redemption. Sweet Jesus receive my Spirit.

Turner.

GOod People, I suppose you expect I should say something as to the Crime I am Condemned

demned for, and either acknowledge my Guilt, or assert my Innocency; I do therefore declare before God and the whole World, and call God to witness that what I say is true, that I am innocent of what is laid to my Charge of Plotting the King's Death, and endeavouring to subvert the Government, and bring in a foreign Power, as the Child unborn; and that I know nothing of it, but what I have learn'd from Mr. *Oates* and his Companions, and what comes originally from them. And to what is said and commonly believed of *Roman* Catholics, that they are not to be believed or trusted, because they can have Dispensations for Lying, Perjury, killing Kings, and other the most enormous Crimes; I do utterly renounce all such Pardons, Dispensations, and withal declare, That it is a most wicked and malicious Calumny cast on them, who do all with all their Hearts and Souls hate and detest all such wicked and damnable Practises, and in the words of a dying Man, and as I hope for Mercy at the Hands of God, before whom I must shortly appear and give an account of all my actions, I do again declare, That what I have said is most true, and I hope Christian Charity will not let you think, that by the last act of my Life, I would cast away my Soul, by sealing up my last Breath with a damnable Lye.

Fenwick.

THE OBSERVATIONS.

THe main Drift and Scope of theſe notorious Malefactors Speeches, was to wipe away the Contamination of that Guilt, which brought them all to be the publick Spectacles of Condign Puniſhment; wherein they obſerve all the ſame Method of Appealing to Heaven, of denying the Doctrine and Maxims of their *Order*, and then praying for the King and themſelves. All which Oaths and Proteſtations, had they been true, they might have been thought *Apoſtates* from their *Order*, and Deſertors of the Religion they ſo zealouſly profeſſed upon the Ladder. Had they been ſuch Weak and Puſillanimous Combatants with Death, as not ſtrenuouſly to have deny'd what they were ſo fairly convicted of; they would have been deprived of thoſe glorious Crowns of Martyrdom which were aſſured them by Him, whom they call the *only Lord of all the World, the only Vice-God, the only Emperour, the only King, the Moſt Holy Pope.* They thought it was much better to make but one Skip from the Cart to *Jacob*'s Ladder, and ſo to mount directly up to Heaven, than to be condemned with an ignominious Load of Truth, and Penitent Confeſſions of the Facts they Committed,

mitted, to the Whips and Scourges of a tedious Purgatory; elſe it would ſeem ſtrange to the World, that in the midd'ſt of thoſe ſolemn Proteſtations which they made to that God, to whom their Souls were taking ſuch a ſpeedy flight, as they pretended, they ſhould ſo boldly deny what ſo many Grand-Signiours of Jeſuitiſm have ſo ſtifly maintained to all the World. Nor did theſe their ſucceeding Diſciples, ſhew themſelves ſuch mild Receders from their Principles, who durſt ſo confidently adventure to Beard the Laws and Statutes of a Soveraign Prince, within his own Dominions; *ipſo facto*, Malefactors and Rebels to His Majeſty, when they firſt ſet Foot within His Territories.

As for their renouncing all Equivocations and Mental Reſervations, which is the Ground upon which they all tread, that will ſignifie nothing when we conſider the Nature and Quality of a true *Jeſuit*, which is, tenaciouſly to hold and adhere to the Dictates and Poſitions of their Superiours, as believing what they Teach to be all Inſpiration. Now their Heavenly Doctrine is no more than this; That it is lawful for them, not only to deny and conceal the truth, but alſo piouſly and religiouſly to affirm, to ſwear by, and invoke God and their Salvation, to atteſt thoſe things which they know to be aſſuredly untrue. Thus *Toletus*, both a Jeſuit and a Cardinal, *Lib.* 4. of his Inſtructions to the Prieſts, *Cap.* 21. *If it be a ſecret Crime concerning which, any one is examined,*

he

he may make uſe of Equivocation. As for Example, If I be asked whether I did ſuch a thing, or No? I may anſwer No: with this reſervation to my ſelf; I did not now *do it.*

Gregory de Valentia aſſerts the ſame: *If the Queſtion*, ſaith he, *be not fit to be anſwered, though you be upon your Oath, yet ſhall no Perjury be committed, though the Party ſwear contrary to the Intent of the Judge; ſuch a one does neither lye, nor take the Name of God in vain, when it is for his own Preſervation.*

Andreas Eudemon Johannes is another of the ſame Stamp.

Martin Azpilcueta of *Navarr*, proves Equivocation to be lawful, from the Example of St. *Francis*, who being asked by certain Officers, *Whether ſuch a Murderer did not run ſuch away? Put his Hands into his Sleeves, and cried, he did not paſs this way: meaning, that he did not flie through his Sleeves.*

The fore-mentioned Cardinal *Toletus* alſo affirms, *That if a Prieſt be asked by the Magiſtrate, whether he ſaw ſuch a one at any time? He may anſwer*, No: *For he did not ſee him that he ſhould tell the Magiſtrate; or he did not ſee him in a Beatifical Viſion, or he did not ſee him at* Venice, *&c.*

Many more Examples might be brought out of the ſame, and ſeveral other Printed Authors; neither

ther are the Equivocations of *Treſham*, *Garnet*, and others unknown to our ſelves, as thoſe of *Richeome* are in *France*, who affirmed, *That he never heard the laſt deceaſed* Henry, *called Tyrant by any of his Subjects, though he had heard* Henry Valois, *the laſt Murdered King often ſo reviled.* So that it may be well ſaid to be the Jeſuits Motto,

Jura, perjura, ſecretum prodere noli.

Swear and Forſwear----
But the main Secret to betray forbear.

Thus while they pretend to renounce and deteſt Equivocations, Mental Reſervations, and Diſpenſations, Reaſon it ſelf muſt needs perſwade us, that Men principl'd and Educated by ſuch Inſtructors, are guarded with a good *Salvo*, for thoſe very Equivocations which they ſeemed to abjure.

No leſs, if not more apparent is the fallacy of their diſowning and diſavowing that Diſmal Doctrine, of killing Kings and Princes.

To which purpoſe *Gawen* fell ſhort in affirming, That onely *Mariana* the *Spaniard* was the upholder of that Dreadful Opinion; witneſs the Writings and Approbations of *Stapleton* and *Garnet*; and the Apology of *Jacob Clements*, in ſome part recited in the Oration to the King of *France*, againſt the Readmiſſion of the Jeſuits into that Kingdom. *Commolet*, and

and *Guignardus*, by whom that bloody Act of *Jacob Clements*, who Murdered *Henry* the Third of *France*, was called the *Gift of the Holy Ghoſt*, as is averr'd in the forementioned Oration to *Henry* the Fourth, were both Jeſuits. *And who ſo wicked among us*, ſaith the ſame Oration, *as not to ſee, that if* Jacob Clements *had not deeply drank of the Jeſuites Poyſon, he would never have thought of killing his Lord and Maſter?* The Warlike Proweſs and renown of *Henry* the Fourth, could not defend him from the Treachery of *Barriere*, countenanc'd and abetted by *Verade* the Jeſuite, and *Aubry* Curate of St. *André des Arts*, nor of that other Bejeſuited Enthuſiaſt, who confeſs'd that he had ſuckt all his King-killing malice from their Diabolical Oratory. And *Mezeray* affirms that the ſame Prince found himſelf in danger of nothing more, than of the Conſpiracies of thoſe in religious Orders. And ſo far was *Mariana* from being the ſole ſupporter of this Doctrine, that *Francis de Verone* wrote in the defence of *Chaſtell*, who had ſtabb'd *Henry* the Fourth, and *John Gueret* and *John Hay* were both baniſh'd out of *France*, for publickly teaching their Diſciples the vicious Precepts of early Treaſon.

Nor is there any thing more horrid among all the Butcheries of the Heathen Sacrificers, than the Ceremony, which the Jeſuites uſe, at the Conſecration of the Perſon and the Dagger, which they deſign for a Royal Maſſacre. For the intended Executioner is brought into a private Room, where the Dagger, carefully wrapt up in a fair Linnen Cloth, and ſheath'd in an Ivory ſheath enamel'd with ſeveral ſtrange Cha-

racters, with an *Agnus Dei* appendant, is ſet at liberty to dazle the Murderers eyes. Then the Weapon being drawn, is ſprinkl'd with Holy Water, adorn'd with a Roſary of Coral Beads, and ſo deliver'd with theſe words, *Choſen Son of God, receive the Sword of* Jephta, *the Sword of* Sampſon, *the Sword of* David *with which he cut off* Goliah's *head*, &c. *go and be prudently couragious.* Which done, falling upon their knees, they mumble forth this diſmal exorciſm; *Cherubims and Seraphims, ye Thrones and Powers, ye Holy Angels all deſcend, and fill this bleſſed Veſſel with perpetual Glory; daily offer to him the Crown of the Bleſſed Virgin* Mary, *the Holy Patriarchs and Martyrs; For he is now your own, and no longer belongs to us.* After that they bring him to the Altar, and ſhewing him the Picture of *Jacob Clements. Strengthen, O Lord*, they cry, *this thy Arm, the Inſtrument of thy revenge. Let all the Saints ariſe and give place to Him.* An invention of Men worſe than Devils, enough to amaze Heaven it ſelf; which ſhews that the words of dying men are not always Oracles, when they go about to deny the palpable text of Hiſtory to palliate embodyed Villany. Nor was *Mariana*'s Book exploded, as *Gawen* averrs; but it is true that care was taken by the Jeſuites to ſuppreſs both *Mariana* and others, (for he was not alone) meerly out of neceſſity, and to divert the ſtorm that threatened them from the Court of *France.* And thus the world may ſee the folly of that vain Complement; *That a whole Order ſhould ſuffer for the raſhneſs of one man.*

As

As little cauſe there is for Us to believe, *That the whole Catholick World* ſhould be the *Jeſuites Advocate*. At leaſt the whole *Catholick World* has taken a very ill Cauſe in hand, to defend an *Order* that has ſo ill behav'd it ſelf, as to be expell'd out of *France* for Murther; out of *England* for High Treaſon; from *Venice*, almoſt in the ſight of *Rome* it ſelf, for their inſufferable Ambition, and deſigns of Bloody revenge; out of *Bohemia*, for being common Diſturbers of the Publick Peace; out of *Moravia* and *Hungaria* for the ſame Cauſe; out of *Tranſilvania*, for being almoſt the ruine of that Countrey; and out of the *Low Countries*, for their continual Miſdemeanors; and Laſtly, this may be alſo added, That *Sigiſmund* King of *Sweden* was expelled his Kingdom, for endeavouring to obtain their readmiſſion after they had been ejected by his Subjects.

As for Father *Harcourt*, let it not ſeem ſtrange, for I find they were all alike in haſt to reach Heaven before Sun-ſet, that he ſhould pretend ſo much ignorance of the Plot. For the reaſon is plain; he was reſolv'd to Viſit S. *Peter* in the Jeſuites Livery, and to let them ſee he was True Blue: while his own Letter under his own Hand, written into the Countrey to give notice of Sir *Edmundbury Godfrey*'s Death, three Hours after his Murther, and publickly to be ſeen, puts a moſt cruel Slur upon his late proteſted Hatred of Mental Reſervation and Equivocation.

Now as for their Prayers for their Judges, and the Diſcoverers of their Treaſon, in my judgement they might have ſpar'd 'em. For why ſhould they be ſo zealous to pray for them, when

they would not ſo much as beg one tear from thoſe that were not of their own Profeſſion? They were no Prayers of Charity, but rather the Curſes of their Malice, while they labour'd to ſcandal the Juſtice of ſuch moſt Eminent Judges, the Impartiality of ſo ſound a Jury, and the Fidelity of ſuch Witneſſes, who having ſo highly merited of the whole Nation, have render'd the Sufferers more remarkable in their Ends, than in all the Progreſs of their Lives before.

Finally, It is very obſervable how harmoniouſly they jump upon that tickling Expreſſion of *being as Innocent as the Child unborn:* as if they were certain to ride to Heaven upon the wings of that Lamb-like ſentence, or that the world were infallibly bound to believe that undenyable Aſſeveration. But beſides that it is the common language of every Pickpocket Strumpet at *Newgate*, though the Evidence be never ſo manifeſt againſt her; Scholars methinks ſhould not have made uſe of ſuch a piece of St. *Martins* ware, that only dazles with a falſe Glittering, but has nothing in it of the real brightneſs of truth. For where no Guilt can be, no Innocence can be imputed. No Child unborn can be thought to be Guilty of an actual crime, ſuch as killing the King, or ſubverting the Government of a Nation; and conſequently no Child unborn can be ſaid to be Innocent of thoſe actual crimes, as not being the proper ſubject of actual Guilt or Innocence. And therefore (pardon only the ſeeming depth of the Expreſſion) they had as good have ſaid nothing; For a man may be Guilty of all the

actual

actual Crimes under Heaven; and after that ſafely ſwear himſelf as Innocent as the child unborn, in regard it is but a ſeeming aſſeveration, and grounded upon nothing.

However it ſhows a good bold ſpirit in dying Chriſtians, to put their tricks upon God and Man, juſt as they are putting foot into the ſtirrup for eternal Bliſs. Let it ſuffice then, that by this fallacy, which they have all laid at the bottom, as the Baſis of the reſt, all their preliminary Imprecations and ſolemn Atteſtations, are nothing but Fourberie and Impoſture.

Theſe were the Acts of Civil Juſtice in *England*, while the Military Power finds work enough in *Scotland* to extinguiſh the Flames of a newly kindl'd Rebellion blow'd up by the common Beutifeus of Chriſtian War, Religion and Liberty. For by the 7th of this month their Numbers were very much encreas'd, which encourag'd ſeveral ſmall parties, like little ſtreams, to bend their courſe toward the main Inundation.

On the other ſide his Majeſties Forces were no leſs vigilant to prevent their meeting. To which purpoſe the Privy Council of *Scotland* underſtanding that there was a party got together in *Tyvidale*, with a reſolution to march Weſtward and joyn with the main Body, ſent the Maſter of *Roſs*, ſon to the Lord *Roſs*, with forty Horſe, and a hundred Dragoons to *Selkerk* to attend their motion. They were about three hundred Horſe and Foot; however when they perceiv'd with what a reſolution he advanc'd toward them, they began to make a haſty retreat. Whereupon the

Maſter of *Roſs* obſerving their fear, briskly attack'd them with his whole number, who ſo well behaved themſelves, that the Enemy was totally defeated, leaving ſixty ſix dead upon the place, and ten Priſoners, the reſt being totally ſcattered.

Soon after the Earl of *Murray*'s Steward in *Downe*, having intelligence that above a hundred new rais'd Rebels were marching out of *Fife* to the Rendezvouze, got together the Vaſſals and Tenants of his Lord, and having purſu'd the Rebels ſixteen miles through the Mountains at laſt overtook them, routed them, and took ten Priſoners, among whom was one *Hinderſon*, who was one of the Murderers of the Archbiſhop of St. *Andrews*, whereby he forc'd them to ſcatter and fly into the adjacent Mountains. Of which the Lord *Elphingſtoun* having notice, he with ſome Gentlemen under his command, purſu'd them farther, kill'd ſome, and took above thirty Priſoners, and among them two of the name of *Balfour*, and one *Hamilton* of *Kinkell*, three more of the Murtherers of the Archbiſhop. So that of that party of the Rebels hardly one eſcap'd being kill'd or taken.

The Gentlemen alſo of *Strathern* having fallen upon another party of the Rebels marching out of *Fife*, of them they kill'd ſome, and took about forty Priſoners.

At the ſame time the Militia and Trained Bands of *Edinburgh*, to the number of four thouſand, took an oath to be faithful to his Majeſty, and to venture their lives and fortunes in ſuppreſſing the Rebellion.

Theſe little skirmiſhes and petty victories could not hinder but that the great Snow-ball ſtill increas'd. So that the ſtanding Militia, and Heritors of ſome ſhires, were commanded to their ſeveral Rendezvouzes; thoſe of the Southern parts, near *Edinburgh*, and thoſe of the Northern parts, near *Sterling*. To command which Forces, his Grace the Duke of *Monmouth* was commanded by his Majeſty to repair forthwith into *Scotland*; in obedience to which Order he arriv'd at *Edinburgh* the 18*th*. of this Month, having rode poſt all the way for Expedition.

The next day he went to the Army, that lay twelve miles from the City, at *Moorhead* beyond *Blackborn*, and eight from the Enemy. And having ſent for ſome proviſions, which he found wanting, from *Edinburgh*; as ſoon as they arriv'd, he reſolv'd to march againſt the Rebels, who lay encamp'd behind *Bothwell-Bridge*, in *Hamilton-Park*, they being poſted all along the River, and the Bridge well barricado'd and lin'd with Muſqueteers. Accordingly on *Saturday* the 21ſt. of *June* in the evening his Grace began his March. Major *Oglethorp*, being commanded to lead the Van, with five Troops of the Engliſh Dragoons, and a hundred horſe commanded by the L. *Hume*. His Grace follow'd with the reſt of the Horſe and Dragoons, and 300. commanded Foot. About break of day the Van came in ſight of the Rebels, who were all ready drawn up in two Bodies, though they had no more notice of the Dukes March, than what they had from the light of the Souldiers Matches. Major *Oglethorp* with

his party was commanded to march directly toward the Bridge, and draw up before it: approaching ſo much the nearer, becauſe it was found that the Rebels had barricado'd up the Bridge with Stones and Timber, that render'd the paſs very difficult.

The Rebels had poſted themſelves very advantageouſly, for there was no coming to them but over that Bridge, the River *Clyd* running between the two Armies. The Duke drew up the Army in Battle upon the height parallel to the River, in full view of the Rebels, which being done, he went to viſit the Dragoons Poſt, about a mile diſtant. Upon the way he was met by an Officer, who acquainted him that a Parley had been beaten, and deliver'd him a Petition ſent from the Rebels, and ſign'd by *Robert Hamilton* in the name of Himſelf, and the Covenanted Army in *Scotland* now in Arms, the Contents whereof were, That they had lain under great oppreſſions both in their Eſtates and Conſciences, which had oblig'd them to have recourſe to Arms for their own preſervation, which they were willing to lay down, when the things ſet down in their Declaration were granted them. His Grace admitting of the Parley, there came out to him, Mr. *David Hume*, one of their Miniſters, with another Gentleman; who being ask'd what they came for? Mr. *Hume* anſwer'd, That they were inform'd that his Grace was a merciful perſon, that took no delight to ſhed blood, and one that had power to do them good.

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His Grace made anſwer, That he ſhould be very glad, they would prevent the effuſion of blood, and to that end he was willing to hear what they propounded. To which Mr. *Hume* reply'd, that all their deſires were contain'd in their Declaration. And being demanded whether he meant the Declaration that paſs'd undertheir name, and was ſet up and proclaim'd at *Kugland*? He anſwer'd, God forbid they ſhould own that. But the Declaration he ſpoke of was one they had lately printed, a Copy whereof he had with him, and deſired liberty to read it; which being done, his Grace told them, That he ſuppos'd they would take it as a great proof of his Clemency and forbearance towards them, that he had Patience to hear ſuch a Libell againſt the Kings Perſon and Government read quite thorough; But that he found no one Article in it, that he could poſſibly agree to, and therefore would make them a much ſhorter propoſal,which was, That if they would immediately lay down their Arms and ſubmit themſelves to his Majeſties Mercy, the Kings Forces ſhould not fall upon them. Mr. *Hume* reply'd, that it was impoſſible to agree to that; for that it would be to lay their heads upon the Block. Whereupon his Grace adviſ'd them to conſider well what they had to do; and to reflect a little whether that number of men, ſhewing him the Army, as it was drawn up, were not ſufficient to oblige them to new reſolutions: to which the Miniſter made a briſk return, deſiring his Grace to take a view of the Covenanted Army, aſſuring him, that every man he ſaw there would dye in

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the place where he ſtood, in defence of the Covenant. His Grace gave no farther anſwer, but that a few minutes would ſhew the Truth of that, if they refus'd his offer.

The other Gentleman, who appear'd to be the more moderate, deſir'd a Ceſſation of Arms for one day; but being told that it was not to be expected that the Kings Forces ſhould grant that to Rebels, he preſs'd it for a quarter of an hour only. His Grace told them, if they would go and conſider, what he had ſaid, and ſend him their propoſals in writing, he would at any time when he heard their Drum, make a ſtand, to receive their papers; though the fight ſhould be begun; and ſo diſmiſt them. Immediately after that, he order'd the Cannon to advance, which was brought to the height oppoſite to the Bridge, and while preparation was making to fire upon them, they beat a ſecond Parley.

Whereupon Major *Maine* was ſent to know what it was they deſir'd; who brought back a Letter to this effect. That they had conſider'd what had been ſaid, but could agree to nothing leſs than what was in their Declaration. That they underſtood his Grace had brought with him from *England* ſome Terms of Accommodation; which if he would pleaſe to communicate to them he ſhould have their Anſwer, if they were ſuch as they could accept.

Major *Maine* was ſent back to acquaint them that a more ſatisfactory Anſwer was expected, therefore they would do well to look to themſelves;

ſelves; and that their Officers might if they pleas'd retire from the Bridge, (who were come thither upon the accompt of the Parley) for that they ſhould hear from his Grace in another manner. As ſoon as they were retir'd, orders were given for the Cannon to fire; which they return'd with ſo ſmart a Volley from the Bridge, that all the Gunners quitted the Guns; but ſoon return'd to them again. Major *Oglethorp* alſo was order'd to make a Trench on the edge of the Hill to cover his men; but before it was finiſh'd, upon firing the Cannon againſt the Bridge, the Rebels began to run from it. Whereupon his Grace commanded Major *Oglethorp* to poſſeſs himſelf of the Bridge, but to advance no farther; However his men perceiving the Rebels to retire before them, could not be hinder'd from paſſing the Bridge, and following them up ſome part of the riſing ground. But then the Rebels obſerving their ſmall number, advanc'd upon them, and forc'd them to retire to the Houſes at the foot of the Bridge. Thereupon his Grace ſent three hundred foot to ſecond them, commanded by the Lord *Leviſton*, ſon to the Earl of *Linlithgow*, who behav'd themſelves ſo well, and fir'd ſo briskly upon the Rebels, that the Dragoons and they forc'd the Rebels up the Hill again. They were immediately ſeconded by the Regiment of Guards, and by the Troop of Guards led by his Grace. No ſooner were thoſe Troops paſs'd the Bridge, but the Rebels fell to running; though they rallied again upon *Hamilton* Heath, about a quarter of a mile off; ſo that his Grace advanc'd

with

with the Troops that were already paſs'd, to the top of the Hill, and there made a halt, to give time to ſo many of the reſt of the Forces to come over, as would ſuffice to make the firſt Line. In the mean while the Rebels were drawing up in Battle, directly oppoſite to the Duke, at what time his Grace obſerving that they were ſtrengthening their left wing, with a deſign to take the advantage of a hollow ground; he order'd his own right to be ſtrengthen'd, and commanded a hundred Highlanders of the Marquis of *Athol*'s Regiment to poſt themſelves in that hollow, and the five Troops of Engliſh Dragoons to ſecond them: which was no ſooner done, but they advanc'd upon his Grace, as he was forming the ſecond Line. The Dukes Highlanders, and their foot began the fight in the hollow ground; but the Highlanders advancing too far were forced to retreat to the Dragoons. At the ſame time, the Cannon fir'd upon their left wing, where their ſtrength lay; but they had not fir'd above twice before their Horſe began to run. Whereupon his Grace order'd Major *Oglethorp*, with the Dragoons, Major *Maine*, and Captain *Claveres*, with their Troops of Horſe, and the Earl of *Eglington* with his Troop of Volunteers to purſue, while he follow'd himſelf, with the reſt of the Army, to the end of the Heath which was about a mile, obſerving ſuch a pace, as might not put his men into any diſorder. The others purſu'd the Rebels ſo cloſe, that there were between ſeven and eight hundred ſlain, and above twelve hundred taken Priſoners. So that the heat of the buſineſs was over by one of the Clock.

Clock. Many of the Priſoners were ſorely wounded, whom his Grace caus'd to be dreſs'd by his own Chirurgion.

The Priſoners of note were *John Kidd*, a Miniſter, and one of the moſt factious among them; *John King*, another Miniſter, and one Mr. *Carthcart*. A Captain of Foot was alſo taken, and old *Gorden*, the Laird of *Earlſton* ſlain. The Priſoners were ſent to *Edinburgh*, where they were ſecur'd by the Magiſtrates of that City.

July. 1679. This growing Rebellion being thus nipt in the bud, by the fortunate conduct of his Grace the Duke of *Bucclugh* and *Monmouth*, His Majeſty was pleas'd to publiſh a Proclamation, commanding the Judges and all Magiſtrates to apprehend and puniſh all ſuch as ſhould frequent any field Conventicles (thoſe Rendezvouſes of Rebellion) according to the preſcript of the Law; as alſo to proſecute with all legal rigour, the execrable Murtherers of the late Archbiſhop of St. *Andrews*: declaring withal that his Majeſty being deſirous to reclaim all ſuch as had been miſled through ignorance or blind zeal, had according to the power reſerv'd to his Majeſty by the fifth Act in the ſecond Seſſion of the ſecond Parliament, ſuſpended the execution of all Laws and Acts againſt ſuch as frequent Houſe-Conventicles in the Low-Countries on the South ſide of the River *Tay*; excepting the Town of *Edinburgh*, and 2 miles round the ſame, with the Lordſhips of *Muſſelborough* & *Dalkeith*; the Cities of St. *Andrews*, *Glaſgow* and *Sterling*, and a mile about each of them. But that none under the colour of this favour might preſume to preach Rebellion, all ſuch as ſhould

be

be ſuffer'd to preach, ſhould give in their Names, and find Sureties to the privy Council, for their good and peaceable behaviour: that but one Preacher ſhould be allow'd to a Pariſh, and none to be allow'd that had appear'd againſt his Majeſty in the late Rebellion, nor none that ſhould be admitted by the non-conforming Miniſters in any time hereafter.

This forbearance to continue during his Majeſties pleaſure, and as the Diſſenters ſhall deſerve the ſame.

Things being thus compos'd in *Scotland*, His Grace the Duke of *Monmouth* return'd for *England*, where he had that reception from his Majeſty which his Valour and Conduct had well deſerv'd.

With him the Series of the Hiſtory returns alſo; and being arriv'd at *London*, there the firſt thing remarkable which it meets with is the Diſſolution of the Parliament. To which purpoſe the King was pleas'd to iſſue forth His Royal Proclamation, That whereas the preſent Parliament was lately prorogu'd till the 14*th*. of *Auguſt*, the Kings moſt excellent Majeſty being reſolv'd to meet his people, and have their advice in frequent Parliaments, had thought fit to diſſolve the preſent Parliament: and that he had given directions to the Lord Chancellor for the iſſuing out of Writs for the calling of a new Parliament, to be holden on *Tueſday* the 7*th*. of *October* next enſuing.

It was now a whole month ſince Mr. *Langhorne* had receiv'd ſentence of Condemnation. All this while he had been repriev'd, partly for the

ſake

ſake of his Clyents, that he might diſcharge himſelf of ſuch buſineſs of theirs as he had in his hands; partly for his own ſake, to the end he might have retriev'd himſelf from the ignominy of his execution by a candid and ſincere Confeſſion.

He had ſent a Petition to his Majeſty, wherein after he had given his Majeſty moſt humble thanks for prolonging his life; he further ſet forth that he was ignorant of the ſubject of the Earl of *Roſcommons* Letter, as alſo of the Grounds upon which it was written. That in obedience to his Majeſties commands he had made the utmoſt diſcovery he could of the Eſtates he was commanded to diſcloſe; and therefore beſought his Majeſty to grant him his Pardon, or at leaſt to give him leave to live, though it were abroad, and in perpetual baniſhment, he having as he pretended fully obey'd his Majeſties Commands.

But whether he ſpake truth or no, may be fairly appeal'd to the world. For it is impoſſible to think otherwiſe, but that if he had ſo fully and ſincerely obey'd thoſe Commands which it was thought requiſite, & which no queſtion the inſight of a wiſe and diſcerning Council well knew he could perform, his Majeſty, ſo punctual to his Mercy, as they who have peculiarly taſted it, well can teſtifie, would never have ſwerv'd in the leaſt tittle from the Grace which once he had offer'd him.

So that when he ſaw ſo much confidence in a dying man, as to approach the throne of mercy with ſo much untruth, his favourable eye could not look upon that Canting Declaration

which

which follow'd, but as the Speech of a *Proſopopœia*, hammer'd for him in the Popiſh Forge. By which figure, he might have enforc'd his Proteſtations ten times more ſolemnly, without any diſadvantage to his credit among his Confeſſors.

Having thus therefore ſpent a month in plauſible prevarications, at length the fatal warrant came, by vertue whereof he was drawn to *Tyburn*, and there executed according to the Sentence pronounc'd againſt him.

As for the Speech, which he left as a Legacy to the world, believing he ſhould not have opportunity to utter it by word of mouth, it was nothing but an abſolute denyal of what had been ſo clearly prov'd againſt him.

'Tis true, 'twas farc'd with ſtrange imprecations and ſolemn Aſſeverations of his Innocency. But how true thoſe Proteſtations were, he himſelf diſcovers by a bold untruth, that unmantles the fallacy of all the reſt. For what man of reaſon can imagine it poſſible that his Majeſty or the Council ſhould think his attainted life ſo conſiderable, as to turn his Prieſts, and for his dear ſake, to take upon them the office of the Miniſtry, to convert him from Popery? 'Twas very likely indeed that they ſhould offer him *Great Advantages, Preferments and Eſtates, after the judgement was againſt him, to make him forſake his Religion*; as if the King had wanted a Judge Advocate for his Guards. But when he could not beg a Baniſhment, he was reſolv'd to beſpatter that favour of life which was offer'd him, only to be ingenuous in the farther diſcovery of the foul de-

ſign

ſign wherein he was engag'd, but neither for his parts or endowments.

Not long after Sir *George Wakeman*, *William Rumley*, *William Marſhall* and *James Corker*, Benedictine Monks were brought to their Tryals at the ſame Bar.

The Jury were,

Ralph Hawtrey,
Henry Hawley,
Henry Hodges,
Richard Downtin,
Rob. Hampton, Eſquires.
William Heydon,
John Bathurſt,
John Baldwyn,
Will. Avery, Eſquires.
Richard White and
Thomas Waite, Gent.

The Charge againſt Sir *George Wakeman* was, that whereas there was a deſign among ſeveral of the Popiſh party to ſubvert the Government of the Nation, by altering the Laws and Religion therein eſtabliſh'd, and taking away the life of his Majeſty, he the ſaid Sir *George* had undertaken to do the latter by Poyſon: That for that piece of ſervice he was to have fifteen thouſand pounds, of which ſum he had already receiv'd five thouſand pound in part. And that for a further gratuity he had accepted of a Commiſſion to be Phyſician General of the Army.

That he receiv'd the Commiſſion from the Provincial of the Jeſuites in *England*; and that he read it, kept it in his poſſeſſion, and agreed to it, with a deſign to have enter'd upon

on his employment, ſo ſoon as the Army ſhould be rais'd.

To make good the Charge, Dr. *Oates* was ſworn, and depos'd, That he ſaw a Letter of Sir *George Wakemans*, written to one *Aſhby* a Jeſuite, then under his directions at the Bath, wherein after he had given him the preſcriptions he was to obſerve, he ſent him word that he was aſſur'd of a certain perſon that was to poyſon the King.

That he was preſent when *Aſhby* offer'd him the 10000 *l.* in the preſence of *Harcourt* and *Ireland*, to poyſon the King.

That he refus'd it, not in abhorrency of the crime, but becauſe, as he ſaid, it was too little for ſo great a Work.

That afterwards five thouſand pound more was offer'd him, as he was credibly inform'd, by the order of the Provincial *Whitebread*. But that he certainly ſaw the Priſoners hand to a receipt in the entry book, at *Wild-houſe*, for five thouſand pound, part of the ſaid fifteen thouſand pound.

Mr. *Bedlow* depos'd, That he was in *Harcourts* Chamber, where he ſaw *Harcourt* deliver to Sir *George Wakeman* a Bill of two thouſand pound, which was charg'd, as he ſuppos'd, upon a Goldſmith near *Temple bar*. And that Sir *George* upon receipt of the Bill, told *Harcourt* that if the Bill were accepted, he ſhould hear from him ſuddenly. That the Bill was accepted and the money paid, by the Confeſſion of Sir *George* to the Witneſs. That the ſaid 2000*l.* was ſoon after made up 5000 *l.* and as *Harcourt* told this Deponent, all upon the ſame accompt, and in part of the 15000 *l.* Sir

Sir *George* pleaded to all this, that he had been left at liberty twenty four days after he had been before the Council; and that upon Dr. *Oates*'s being sent for to the House of Lords to repeat his Evidence against Sir *George*, he confest there that he did not know Sir *George Wakemans* hand, and only knew the Letter in question to be his Letter by being subscrib'd, *G. Wakeman.* Concluding from thence that the Witness would have told more at that examination had he known more.

To which the Dr. reply'd, that he had been so over-toyl'd with watching, and searching after persons detected, that he was not able to make good his charge. Which was also confirm'd by the testimony of Sr. *Thomas Doleman.*

But Sir *Philip Floyd*, one of the Clerks of the Council, was more express in behalf of the Prisoner, who acknowledg'd indeed that Dr. *Oates* did make mention of Sir *Georges* undertaking to poyson the King, as he had understood by a Letter from *Whitebread* to *Harcourt*, and that he was inform'd by the same Letter that *Coleman* had pay'd him five thousand pound of the fifteen thousand pound agreed upon: But that being demanded of his own personal knowledge what he could tax Sir *George* withal, he solemnly deny'd that he had any thing more against him.

To which the Doctor gave the same answer of his extreme weakness and indisposition as before.

After that Sir *George* recommended one obſervation more to the Court, That in the Doctors Narrative, there was not one Letter which came from beyond Sea to which he did not ſwear poſitively both as to the date and as to the receipt:& yet that in the caſe of life he would not be confin'd to a Month. Concluding with a ſolemn Imprecation, and diſclaiming all the Crime in this Matter that had been charg'd againſt him.

Corker, *Rumley* and *Marſhall* were charg'd of being privy to the Conſult, for killing the King, and to the carrying on the reſt of the grand deſign, toward which they had undertaken the raiſing and payment of 6000 *l.* by the Benedictine Monks.

As to *Corker*, Dr. *Oates* ſwore him to be a Benedictine Monk, and privy to the promiſe of the 6000 *l.* which was to be rais'd for carrying on the deſign.

That he gave *Le Chaiſe*, and the Engliſh Monks at *Paris* an accompt of the Jeſuites proceedings in *England*, and that he had a Patent to be Biſhop of *London*, which the Witneſs had ſeen in his hand; and that he diſpos'd of ſeveral parcels of money for advancing the deſign.

That he was privy to the Grand Conſult in *April*, and excepted againſt *Pickerings* being made choice of for killing the King, in regard that he being engag'd to ſay High Maſs, an opportunity might be loſt in the mean time.

Mr.

Mr. *Bedlow* depos'd againſt *Corker*, that he had been with him in the Company of others at *Somerſet-houſe*, where he heard him diſcourſe in general concerning the Plot, of Letters of intelligence, and raiſing an Army, what Agitators the Conſpirators had in the Country, and what Intereſts they had made.

As for *Marſhall*, he was charg'd by Dr. *Oates* with being preſent when the ſix thouſand pound was agreed upon, and that he made the ſame exceptions againſt *Pickering* that *Corker* had done.

Mr. *Bedlow* depos'd againſt him, that he had carry'd ſeveral Letters to the Catholick party that were in the deſign, and particularly one to Sir *Francis Ratcliff*. And that he had ſent Letters of his own twice to others concerning the ſubverting of the Government, and introducing Popery.

Rumley was accus'd by Dr. *Oates*, of being privy to the Conſult for the raiſing the ſix thouſand pound, and that he pray'd for the ſucceſs of the Deſign.

Corker offer'd in his defence, that not knowing his accuſations, he could not come with Evidences to ſupport his Plea. That there was nothing more eaſie than to accuſe an innocent perſon, and that the Circumſtances ought to be as credible as the Witneſſes: of which there was neither to be found in his caſe; uſing many flouriſhes to move the Court and the Jury, raiſing his Arguments from Improbability of Witneſſes, to maintain his Allegations: and the more to invalidate the Dr.'s teſtimony, he brought witneſſes to teſtifie

that one *Stapleton* was President of the *Benedictines* and not himself, and that the said *Stapleton* had so been for many years.

Marshall threw himself upon the Court, whom he besought to manage his cause for him, as having had so much Tryal of their Candour and Ingenuity. After which he made some slight reflections upon the Kings Evidence; and desir'd the Court to consider how little concern'd he was at his being apprehended, which was no small sign of his Innocency. But the main of his defence lay upon this Stress, that Dr. *Oates* was a stranger to him, and had mistaken him for some other person; which was evidently made out to the contrary: and beside that, the Prisoner brought no proof of what he affirm'd in that particular. At length the Conclusion of his defence was a smooth harangue, *ad captandum populum*, and in justification of the Crimes of them that had already suffer'd: which because it was look'd upon as an affront done to the Justice of the Court, he was desir'd to forbear his Flowers of Rhetorick, which were all to no purpose.

As for *Rumley*, there being but one Witness against him, he did not think it needful to trouble the Court with a defence, and indeed it was the opinion of the Court deliver'd to the Jury that they ought to discharge him.

Upon the whole, it was the opinion of the Court that the Defences of the Prisoners were very weak, of which the Jury could not choose but take notice.

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The main thing wherein the Court were diſſatisfy'd was, Dr. *Oates*'s excuſe of his own weakneſs and infirmity, for not giving his full charge againſt Sir *George Wakeman* at the Council Board: Since he might have charg'd him in the ſame breath, that he denied that he had any thing more againſt him.

Whether this or any other more prevailing argument over-rul'd them, certain it is, that the Jury found them all *Not Guilty*, and ſo, contrary to expectation, they were all acquitted.

All this while his Majeſty kept his Court at *Windſor*, where in conſideration of the many and faithful ſervices perform'd unto him by the Right Honourable *George* Lord Viſcount *Halliſax*, *John* Lord *Roberts*, and *Charles* Lord *Gerrard* of *Brandon*, he was pleas'd to confer upon them the Titles of Earls of this Kingdom, creating the Lord Viſcount *Halliſax* Earl of *Halliſax*, the Lord *Gerrard* Earl of *Newberry*, Viſcount *Brandon*, which title was afterward chang'd into that of *Macclesfeld*; and the Lord *Roberts* Earl of *Falmouth*, Viſcount *Bodmin*.

And to ſhew that he took the ſame care of his Dominions abroad as at home, His Majeſty order'd recruits to be forthwith rais'd under the commands of Captain *George Wingfeild*, Captain *Charles Wingfeild*, Captain *William Langley*, and Captain *William Matthews*, to reinforce the Garriſon of *Tangier*.

At home the Fort of *Sheerneſs*, and the Garriſon of *Portſmouth* had both the Honour to be ſurvey'd by the King himſelf; who to that intent depar-

ted upon the 30th. of *July* from *Windſor* to *Hampton-Court*, attended by the Duke of *Albemarle*, and ſeveral of the Nobility, and from thence in his Barge to *Deptford*; where after he had taken a view of a new Third-rate Frigat call'd the *Sterling Caſtle*, he proceeded on to *Sheerneſs*, and ſo forward to *Portſmouth*, where he ſafely ſoon after arriv'd by Sea; and having made a ſhort ſtay in the Town, return'd again by Land to *Windſor*.

Auguſt, 1679. Soon after his return, his Majeſty was ſeiz'd by a fit of ſickneſs, which though Heaven, kind to three Kingdomes, was pleas'd not to ſuffer to grow upon him, yet the ſhort continuance bred no ſmall terrour and conſternation in the hearts of all his Loyal Subjects.

The City ſoon took the ſad Alarm, and immediately deputed two Aldermen to attend his Majeſty during his ſickneſs, of whoſe attendance he was pleas'd to accept till the danger was over. His Royal Highneſs the Duke of *York* alſo, receiving the unwelcome news, haſten'd out of *Flanders* to *Windſor*. But in a ſhort time theſe affrights were happily over.

September, 1679. In the mean time Mr. *Jeniſon* had been ſeveral times examin'd, and at length made publick a Narrative containing a farther diſcovery of the Plot, with a confirmation of the truth of the Kings Evidence, which *Ireland* had ſo fairly ventur'd at his death to invalidate at the expence of his Salvation.

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Thereupon his Majeſty was pleas'd to publiſh a Proclamation againſt the four Ruffians, who were deſign'd to have murder'd him at *Windſor*. Wherein he ſummon'd them by the names of Captain *Levallyan*,.... *Karney*, *Thomas Brahall* and *James Wilſon*, to render themſelves before the twentieth day of *October* next, or elſe to ſuffer the extremity of the Law; with promiſe of a hundred pound to any perſon that ſhould apprehend or diſcover any of them.

While the King continued at *Windſor*, upon the noiſe of the Duke of *York*'s being return'd, ſeveral Citizens, of whom the Chamberlain of *London* was the chief, alledging their jealouſies and fears, ariſing as they ſaid from the Dukes encouragement of Popery, and the continu'd practices of the Enemies of the Proteſtant Religion, made their applications to the Lord Mayor, deſiring that the guards of the City might be doubled. His Lordſhip gave them thanks for their care and zeal; and told them that he could not anſwer their deſires of himſelf, but that he would ſummon the Lieutenancy together: which being done, though neither Sir *Thomas Player* nor any other perſon appear'd, and the addreſs of the abſent Gentlemen being debated, it was concluded that there was no neceſſity to put any farther charge upon their fellow Citizens at preſent, as was deſir'd, till more urging cauſes of danger appear'd, which was the determination of that grand affair.

But the City it ſelf had a nobler deſign. For the Lord Mayor and Aldermen, having the week before order'd two of their members to attend

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the King at *Windſor*, humbly to deſire leave to wait on his Majeſty to congratulate his happy recovery from his late indiſpoſition, they accordingly went in a full body toward the middle of this month, with a fair Retinue to *Windſor*. Where being introduc'd into the Royal preſence, the Lord Mayor ſet forth the exceeding joy of the City, and of all his Majeſties Proteſtant Subjects for ſo great a bleſſing: declaring withal the happineſs they enjoy'd in his Majeſties moſt excellent Government, and his preſervation of the publick Liberty, Property, and above all the Proteſtant Religion.

To which his Majeſty was pleas'd to return for anſwer, That he had ever a high eſteem of his City of *London*, and would never omit any opportunity of giving them the marks of his kindneſs, aſſuring them that he would employ his care to maintain them in peace and ſecure them in their properties, and in the Proteſtant Religion; and then admitted them to the Honour of kiſſing his hand. After that his Majeſty retiring out of the Royal Preſence, my Lord Mayor was ask'd whether he with the Aldermen would not wait on the Queen and Duke of *York*? To which his Lordſhip anſwer'd that he had done all that was in his Commiſſion; but that he was heartily glad he had done ſo much, as being with the reſt of his brethren tranſported with an extraordinary joy to behold his Majeſty in ſo good a condition of Health. After the Ceremony was over, the Lord *Maynard* by his Majeſties Order entertain'd the Lord Mayor and Aldermen at a ſplendid Dinner: which being done, they return'd home the ſame night,

night, highly ſatisfy'd with the favour and treatment they had receiv'd.

On the 17*th*. of this month, His Majeſty return'd to *London* with the Queen and Duke of *York*; whereupon the Lord Mayor immediately gave order for the ringing of the bells and making bonfires, which was perform'd with all chearfulneſs and joy by the Inhabitants. Soon after, that is to ſay, upon the 27*th*. of this month his Grace the Duke of *Monmouth* took ſhipping in one of his Majeſties Yachts for *Holland*, and the next day his Royal Highneſs the Duke of *York* departed for *Flanders*.

Whoſe ſaid remarkable Departures out of this Land may well ſuffice to give a memorable concluſion to the ſtory of theſe few laſt years, wherein the Tranſactions have been ſo various and worthy obſervation, that the like have rarely happen'd in a Kingdom, notwithſtanding all theſe violent underminings of her Tranquillity, ſtill bleſs'd with Peace, and which the prayers of all good Men implore from Heaven may ſtill continue ſo, under the protection of a merciful God and Gracious King.

FINIS.

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